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RECORDS
OF THE
COURT OF ASSISTANTS

OF THE
COLONY

OF THE
MASSACHUSETTS, BAY
(Colony) Court of assistants.

1630-1692

PRINTED UNDER THE SUPERVISION OF

JOHN NOBLE

CLERK OF THE SUPREME JUDICIAL COURT

VOL. II.

BOSTON
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PREFACE.

VOLUME I. of the Records of the Court of Assistants, covering the period from 1673 to 1692, was issued in 1901.

Volume II., now issued, takes in the period from the settlement of the Colony to 5 March, 1643-4.

This volume, though containing the records of a period earlier than that in the former volume, has been numbered Volume II. for the reasons given in the preface to the first volume.

Part I. is taken from the first volume of the Records of the Colony of the Massachusetts Bay in the State Archives, and has been printed, like the earlier volume, with an exact adherence to the originals, and is a reproduction of them in every particular, so far as the difference between print and manuscript will allow.

It has also been compared with a contemporaneous copy of the same (made by Thomas Lechford to 28 January, 1641), referred to below.

Part II. comprises a copy of a portion of the records of the Court of Assistants, extending from 28 October, 1641, to 5 March, 1643-4, recently discovered in the so-called Barlow Manuscript Copy, or duplicate, of the records of the Colony of the Massachusetts Bay, which was bought for the Boston Public Library in 1890. This was published by order of the City Council of Boston, by William H. Whitmore, Record Commissioner, in his *Bibliographical Sketch of the Laws of the Massachusetts Colony*.

In the record of the Court for 5 March, 1643-4, there are at the end three subsequent entries, the latest being 30 May, 1644.

The same exact adherence to the original has been kept as in Part I.

As stated in the preface to Volume I., these earliest records, thus preserved, are not, as has been often assumed, the complete record of the proceedings of the Court through those periods, as they contain substantially only criminal matters or matters of public concern. Civil suits do not appear therein, although it is evident that such suits were tried before this Court from the very first. This appears among other proofs from the entry under date of 4 March, 1633-4, on page 40 of this Volume II., mentioning a judgment against Joseph Twitchell. It also appears, from the numerous references to such causes, as early as 1639, in Lechford's Journal. See also the Order of the General Court, in 1634, as to the entry of Actions. (Mass. Col. Rec., Vol. I., p. 129.)

See, also, an Order of the General Court, carrying out a suggestion of Lechford in 1639, which was made at the September Session of the same year :

“Whereas many iudgments have been given in o' Courts, whereof no records are kept of the evidence and reasons whereupon the verdict and iudgment did passe, the records whereof being duely entered and kept would bee of good use for president to posterity, and a releife to such as shall have just cause to have their causes reheard and reveiwed, it is therefore by this Court ordered and decreed that henceforward every iudgment, wth all the evidence, bee recorded in a booke, to bee kept to posterity.”

(Massachusetts Colony Records, i, 275.)

When Volume I. was issued it was proposed that the present volume should contain three parts, and expected that it would complete the records of this Court, so far as they were extant or could in any way be reproduced at the present day. It has been found, however, that Part III., described in the former preface, must contain such an amount of matter as would make, if included herein, an unwieldy volume, and delay the issue of this.

Part III., as heretofore designated, will accordingly be issued separately as Volume III., and at as early a date as possible.

It attempts, so far as material anywhere accessible allows, to fill the gap in the records between March 4, 1643, and March 4, 1673, a period where no continuous or consecutive record is to be found, and to reproduce, as far as may be possible, the doings of the Court of Assistants in these years.

It will consist of restored fragments of records taken from certified copies of judgments, verdicts, executions, etc., found among the Court Files of Suffolk, and among the files in the offices of the several counties; in the State Archives; among ancient manuscripts in the possession of the Massachusetts Historical Society, and in various other places, giving authoritative information as to the action of the Court of Assistants during that period. In some cases additional information obtained from contemporaneous sources, not easily accessible, will be added in notes to explain or amplify the record. These fragments of records relate largely to civil causes. Their value as historical material will be evident, and also in carrying out the purpose expressed in the preface to Volume I., of gathering matter for the study of the origin, development, and methods of procedure of this Colonial Court of ultimate resort and supreme jurisdiction, and as contributing to a study of the history of the Commonwealth and of its jurisprudence.

JOHN NOBLE.

SUPREME JUDICIAL COURT,
OFFICE OF THE CLERK,
JANUARY 1, 1904.

COURT OF ASSISTANTS.

**RECORDS, SO FAR AS RECOVERED OR REPRODUCED,
FROM 1630 TO 1644.**

[IN TWO PARTS.]



EXPLANATION OF MARKS AND CHARACTERS.

MARKS.

A mark over a letter indicates an omission of one or more letters.

A caret ^ indicates one or more words omitted in the original.

Brackets [] indicate words or letters in the original which are illegible or doubtful or apparently erroneous.

Parallels || || enclose words interlined in the original.

CHARACTERS.

ff signifies ff or F.

n " ner, nor, or no.

p " par or per.

q " por or pro.

p " Per.

v " ver.

c " &c. (etc.)

PART I.

COURT OF ASSISTANTS.

RECORD 1630-1641.

**FROM THE FIRST VOLUME OF THE COLONY RECORDS
IN THE MASSACHUSETTS STATE ARCHIVES.**

PART I.

1630—1641.

COURT OF ASSISTANTS RECORDS.

[Taken from the first volume of the Records of the Colony of the Massachusetts Bay, in the State Archives, and compared with a copy thereof in the Boston Public Library (made by Thomas Lechford to January 28, 1641) which will, for convenience here, be referred to as the L. copy. Differences, other than unimportant literal ones, will be indicated by foot-notes. The original record is in the handwriting of Secretary Simon Bradstreet till May, 1636, and thereafter in the handwriting of Secretary Increase Nowell.]

[55] The first Court of Assistants holden att Charlton August 23th
Año Dm̄ 1630.

Present

M ^r . Jo: Winthrop Gou ^{rn}	M ^r . Increase Nowell
M ^r . Tho: Dudley Deput Gou ^{rn}	M ^r . Tho: Sharpe
S ^r . Rich: Saltonstall k ^t	M ^r . Will: Pinchion
M ^r . Rob ^{te} :* Ludlowe	M ^r . Sim:† Bradstreete
M ^r . Edward Rossiter	

Imp^r, it was *ppounded* howe the ministers should
1.‡ be mayntayned, M^r. Wilson & M^r. Phillips onely
ppounded.

It was ordered that houses should be built for them with convenient
speede, att the publique charge. S^r. Rich: Saltonstall vndertooke to

* Roger is written in the margin in a modern hand.

† "Simon" in L. copy.

‡ The marginal numbers and titles seem to have been entered in connection with some index or codification of laws and orders. Many of them are in the handwriting of Edward Rawson, the Secretary from 1650 to 1686. The marginal entries in the Library copy are different.

see it done att his plantaçon for M^r. Phillips and M^r. Goūn^r att the other plantaçon for M^r. Wilson./

2. It was p^pounded what should be their p^rsent mainetenance.

Ordered that M^r. Phillips should haue allowed him 3 hogsheds of meale, 1 hogshd of malte, 4 bushells of Indean corne, 1 bushell of oate-meale, halfe an hundred of salte fishe, for apparell and other p^rvisions xx^l, or els to haue xl^l giuen him in money p^r an^d to make his owne quisions if hee chuse it the rather, the yeare to begin the first of September nexte.

It. that M^r. Wilson should haue after xx^l p^r an^d till his wife come ouer, his yeare to begin the 10th of July ~~nexte~~ last all this to be att the comon charge those of Mattapan || & Salem || onely exempted./

3. It was p^pounded what should be M^r. Gagers main-tenance.

Ordered that hee should haue a house builded him against the nexte springe, is to haue a cowe giuen him & xx^l in money for this yeare to begin the 20th of June || (1630) || & after xxx^l p^r an^d. all this to be att the comon charge.

4. It was ordered that James Peñ should haue 20 nobles p^r an^d & a dayes worke of a man att springe from eūy able famly to helpe build his howse, his yeare to begin the 1th of September nexte. his imployem^t to be as a Beadle to attend vpon the Goūn^r, and alwaies to be ready to execute his comānds in publike businesses.

5. It was ordered that there should be a Court of Assistants helde att the Goūn^r howse on the 7th day of Septemb^r nexte being tuesday to begin att 8 of the clocke.

referred till the nexte Court./ It was p^pounded whither there should not be a Court helde eūy first tuesday in eūy moneth, & a Genall Court the last wednesday in eūy tearme./

6. It was ordered that, in all ciuill acōns the first p^rcesse or sūmons by the Beadle or his deputy shalbe directed by the Goūn^r or Deputy Goūn^r or some other of the Assistants being a Justice of the peace, the next p^rcesse to be a capias or distringas att the discreōn of the Court./

[56]

7. It was ordered that Morton of Mount Woolison should presently be sent for by pcesse.

8. It was ordered that carpenters joyners bricke-
rates. layers sawers* and thatchers shall not take aboue 2^s a day, nor any man shall giue more vnder paine of x^s to taker & giuer/. and that sawers shall not take aboue 4^s — 6^d y^e hundred for boards, att 6 scoore to the hundred, if they haue their wood felled & squared for them, & not aboue 5^s — 6^d if they fell & square their wood themselues./

9. It was ordered that the Gouvern^r & Deputy Goūn^r for the tyme being shall alwaies be Justices of y^e peace. and that S^r. Rich: Saltonstall M^r. Johnson M^r. Endicott & M^r. Ludlowe shalbe Justices of the peace for the p^rsent tyme, in all things to haue like power that Justices of peace hath† in England for reformaçon of abuses and punishing of offend^r. and that any Justice of the peace may imprison an^d offend^r, but not inflict any corporall punishment wthout the p^rsence & consent of some one of the Assistants.

[10] 6. It was ordered that noe pson shall vse or take
[2] away any boate or Cannoe without leaue from the
boates. owner thereof in paine of ffyne & imprisonm^t, att the discreçon of the Court./

Memorand. to estimate the nexte Court day the charges y^e M^r. Goūn^r hath beene att in entertaineing seūall publike psons since his landing in Newe England./

[57] A Court of Assistants holden att Charlton the 7th of September 1630.

Present

The Gouvern ^r	M ^r . Nowell
Deputy Goūnor	M ^r . Coddington
S ^r . Rich: Saltonstall, k ^t	M ^r . Ludlowe
M ^r . Johnson	M ^r . Rossiter
M ^r . Endicott	M ^r . Pinchon
M ^r . Sharpe	M ^r . Bradstreete

Capt. Endicott beinge formerly chosen an Assistant did nowe take the oath of an Assistant in the presence of the Court.

* "Sawyers" in L. copy.

† "Have" in L. copy.

‡ "Any" in L. copy.

Courts.

It was ordered that eūy third tuesday there should be a Court of Assistants helde att the Goūno's howse (for the tyme being) to begin || att || 8 of the clocke in the morneing, eūy Assistant not being present att that tyme to be fyned att the discreōn of the Court.

James Peñ did now take the oath of Beadle.

M^r. Ludlowe M^r. Rossiter & M^r. Pinchon by the geñall consent of the Court is* fyned a noble a peece for their absence from the Court after the tyme appoynted.

Thomas Morton
punished.†

It is ordered by this present Court, that Thomas Morton of Mount Wolliston ‡ shall presently be sett into the bilbowes, & after sent prisoner into England by the Shipp called the Gifte, nowe returneing thith[er] that all his goods shalbe seazed vpon to defray the charge of his transportaōn, payem^t of his debts, & to giue satisfacōn to the Indians for a Cannoe hee vniustly tooke away from them & that his howse, after the goods are taken out, shalbe burnt downe to the ground in the sight of the Indians for their satisfacōn, for many wrongs hee hath done them from tyme to tyme./

It is ordered that M^r. Clearke shall pay vnto John Baker the some of xxxviiij* in recompence, for the damage hee receaued by a bargaine of cloath, wherein M^r. Clearke dealete fraudylently with the said John Baker as hath beene quēd vpon oath.

[58] It is ordered that M^r. Patricke & M^r. Vnderhill shall haue allowed them for halfe a yeares qvision, 2 hogsheads of meale, 4 bushells of malte, 10^l of powder, & leade to make shott, also howseroome guided for them & 15^l 12^s in money to make other prouisions. all this to be done att the publike charge their yeare to begin from the tyme they begin to keep howse.

Boston, Dorchester,
& Water Toune.

It is ordered that Trimountaine shall be called Boston, Mattapan Dorchester, & the Towne vpon Charles Ryver Waterton. /

2- (3)
Plantations.

{ It is ordered that noe pson shall plant in any place within the lymitts of this Pattent, without leane from the Goūn^r and Assistants, or the maior pte of them.

Also that a warrant shall presently be sent to Aggawam, to cōmand those that are planted there forthwith to come away.

* "Are" in L. copy.

† In modern hand.

‡ "Wollaston" in L. copy.

A Court of Assistants holden att Charlton 28th of Septemb^r 1630.

Present

The Goūn ^r	M ^r . Nowell
Deputy Goūn ^r	M ^r . Coddington
Capt. Endicott	M ^r . Bradstreete
M ^r . Ludlowe	M ^r . Rossiter
	M ^r . Pinchon.

1. It is ordered that those of Dorchester whoe bought certayne cattell of the merch^{ts} of Dorchester, shall pay vnto Nich: Stower 9 bushells of meale or of Indian corne or 9^d of beau^r for the keepinge of the said cattell according to an agreem^t. made wth him.

4- 2. It is ordered that noe pson whatsoever^r. shall
Indian. either directly or indirectly, imploy or cause to be employed or to their power pmitt any Indian to vse any peece vpon any occaçon or pretence whatsoever, vnder payne of x^l ffyne for the first offence & for the 2^d offence to be ffyned & imprisoned att the discrecion of the Court./

5- (3) It is further ordered that noe serv^t. eith^r. man
Servants. or maide shall either giue sell or trucke any com-
odytie whatsoever^r, without lycence from their maister dureing the tyme of their service vnder paine of ffyne & corporall punishm^t. att the discrecion of the Court.

[59] John Woodbury is chosen Constable of Salem & Thom[as] Stoughton constable of Dorchester, to contynue in that office for a yeaere & after till newe be chosen.

John Woodbury did nowe take the oath of a Constable.

Strong waters
seized on. It is ordered that all Rich: Cloughes stronge water shall presently be seazed vpon, for his selling greate quantytie thereof to se^dall mens serv^{ts} which was the occaçon of much disorder drunkenes & misdemean^r.

6. It is ordered that noe maister carpenter mason
Rates for Workmⁿ. joyner or brickelayer shall take aboue 16^d a day for their worke, if they haue meate and drinke, & the second sort not aboue 12^d a day vnder payne of x^l both to giuer & receauer./

It is ordered that M^r. Patricke & M^r. Vnd^rhill shall haue allowed

* "Second" in L. copy.

them 6^l 8^s in money to buy them howseholde stuffe, & for helpe to washe brewe & bake [xx]*

Gray sent. Thomas Gray is inioyned vnder the penalty of x^l to attend on the Court in pson this day 3 weekes to answer to dyvers things obiected against him & to remoue himselfe out of the lymetts of this patt[ent] before the end of March nexte.

S^r. Rich: Saltonstall is ffyned 4 bushells of malte for his absence from the Court.

6. It is ordered that noe pson inhabitting within the lymitts of this Pattent shall either directly or indirectly giue sell trucke or send away any Indian corn to any Englishe without the lymitts of this Pattent or to any Indian whatsoever without licence from the Go^urn^r. & Assistants.

Gouldsworth, Pickrin, censr. It is ordered that John Goulworth shalbe whipped and afterwards sett in the stocks for felony comitted by him whereof hee is convicted by his owne confession also that Henry Lyn shalbe whipped for the like offence, & John Boggust & John Pickryn to sitt in the stocks 4 howers togeath^r. att Salem for being access[ary] therevnto.

For Cap^t Patrick & Cap^t Underhill 50^s. It is ordered that there shalbe collected & levied by distresse out of the se^uall plantacons for the maintenance of M^r. Patricke & M^r. Vnderhill the some of 50^l, vz: out of Charlton 7^l Boston 11^l Dorchester 7^l Rocsbury 5^l Waterton 11^l Meadford 3^l Salem 3^l Wessagusset 2^l Natascett 1^l.

Rates. It is ordered that Labourers shall not take aboue 12^d a day for their worke, & not aboue 6^d & [meate &] drinke vnder paine of x^s.

[60]

Septemb^r 28th 1630.

A Jury impanneld to inquire concerning the Death of Austen Bratcher.

Rich: Browne	Nich: Vpsall
Willm Aspynewall	John Johnson
Abraham Palm ^r .	Edward Converse
Nich: Stower	Ralfe Sprage
Peter Palfry	Giles Sexton
Roger Williams	Abraham Pratt
Willm Bunell† —	Francis Smyth
	George Dyar —

* "XX" in L. copy.

† "Bunnell" in L. copy.

Austen Bratcher dyeing lately att M^r Cradocks plantaçon was
vewed before his buryall by dyvⁿ psons vz —

Tho: Graues	Thomas Reade	
James Crugott	Rich: Lynton	} absent.
Thomas Ward	John Jarvis	
Thomas Paynt ^r .	Arthur Ellis.	
Willm Barsham		

The Jureys Verdict

Wee finde that the strookes* giuen by Walter Palmer were occasion-
ally the meanes of the death of Austen Bratcher & soe to be man-
slaught^r./

Walter Palmer hath bound himselfe in 40^l. & Ralfe Sprage & John
Sticklett hath† bound themselues in 20^l a peece for Walter Palmers
psonall appearance att the nexte Courte to be holden att Boston the
19th of Octob^r nexte to answer for the death of Austen Bratcher./

[61]

September 18th. 1630.

Vpon vew of the dead body of Willm Bateman

An Inquisiçon taken att Charlton the 18th day of Sept^r Año Dñi 1630
before John Winthrop, Esq^r. & Go^un^r. & Isaack Johnson Esq^r. one of
the Assistants & Justice of ^APeace

Vpon the oathes of

Walt ^r Norton Esq ^r .	Richard Browne
Nich: Stowre	Robte Hardinge
Ralfe Sprage	Richard Garrett
Will: Cheesebrough	Thomas Willms
John Stickland	Daniell
Rich: Norman	John Baker
	Willm Bateman

whoe say, vpon their oathes that the afores^d Willm Bateman was sett
on shore vpon the necke of land neere Pullen poynte in the bay of
Mattachusetts by a shallop of one M^r. Wright (which brought him
from Plimouth) vpon wednesday last being very sicke & weake &
beinge lefte there with one M^r Ralfe Glouer & others, whoe hadd a
shallop in that place, but being forced to leaue her there because the

* "Strokes" in L. copy.

† "Have" in L. copy.

winde was contrarie, they returneing home lefte him such provisions as they hadd, & a & fire, but when they returned to their boate vpon Friday last they found the said Willm Bateman dead about the highwater marke neere their boate aboute a stones cast from the place where they lefte him — Soe the Jury p'sents that hee dyed by gods visitaçon.

Evidences, M^r. Ralfe Sprage Glouer Elias Ma^dacke Giles Sexton & James Browne. *cr.*

[On page 62 and 63 is a record of a General Court 19 Oct., 1630, and a list of those desiring to be made freemen. Page 64 is blank.]

[65] A Court of Assistants holden att Boston Nouemb^r 9th. 1630.

Present
The Go^unr
Deputy Go^unr.
S^r. Rich Saltonstall
Mr. Ludlowe
Capt. Endicott
Mr. Coddington
Mr. Pinchon
Mr. Bradstreete

It is ordered that whereas the vsuall rate of beau^r hath beene after 6^s. the pound, it shalbe hereafter lefte free for e^uy man to make the best p^rffit & im^pquem^t of it that hee can.

Repealed. It is ordered, that e^uy Englishe man that killeth a wolfe in any p^rte within the Lymitts of this pattent shall haue allowed him 1^d. for

e^uy beast & horse & ob.* for e^uy weaned swyne & goate in e^uy plantaçon to be leuied by the Constables of the s^d plantaçons.

It is further ordered that whoesoeuer shall first giue in his name to M^r. Go^unr that hee will vndertake to sett vpp a ferry betwixte Boston and Charlton & shall begin the same att such tyme as M^r. Go^unr shall appoynct, shall haue 1^d. for e^uy pson & 1^d. for e^uy 100 waight of goods hee shall soe transport.

M^r. Clearke is q^rhibited cohabitaçon & frequent keepeing company with M^r. Freeman, vnder paine of such ~~company~~ punishm^t as the Court shall thinke meete to inflict.

M^r. Clearke & M^r. Freeman hath bound themselues in xx^s apiece that M^r. Clearke shall make his psonall appearance att the nexte Court to be holden in March nexte, & in the meane tyme to carry himselfe in good behav^r towards all people & espetially towards M^r. Freeman, concerneing whome there is stronge suspicon of incontinency.

It is ordered, that Rich Diffy, serv^t to S^r. Richard Saltonstall shalbe whipped for his misdemean^r towards his maister.

* Obolus or half penny.

A Jury impannel[] for the Tryall of Walter Palmer concerneing the
Death of Austin Bratcher.

Mr Edmond Lockwood	Rich: Morris
Willm Rockewell	Willm Balston
Christopher Conant	Willm Cheesbrough
Willm Phelps	John Page
Willm Gallard*	John Balshe
John Hoskins	Laurence Leach

The jury findes Walter Palmer not guilty of manslaughter whereof
hee stodee indicted & soe the Court acquitts him.

[66] A Court of Assistants holden att Boston Nouemb' 30th 1630.

Present

The Goūn'	M ^r . Nowell
The Deputy Goūn'	M ^r . Pinchon
S ^r . Rich: Saltonstall	M ^r . Coddington
M ^r . Ludlowe	M ^r . Bradstreete.

S^r. Rich. Saltonstall is fyned v^l for whipping 2
seūall psons without the presence of another Assist-
ant contrary to an act of Court formly made.

It is ordered that whoesoener imployeth Willm Knopp or his sonne
in any worke shall pay the one halfe of their wages
Ord^r about W=Knop. to S^r. Rich. Siltonstall, & whoeuer buyeth boards of
them shall pay one halfe of the price to S^r. Richard, till the money hee
hath disbursed for them be satisfied.

~~John~~ Bartholmewe Hill is adiudged to be
Barth Hill cens. whipt for stealeing a loafe of breade from John
Hoskins which himselfe confesseth.

It is ordered that there shalbe 60^l collected out of the seūall
plantaçons followeing for the mainetenance of M^r.
Rate for y^e ministers. Wilson & M^r. Phillips, vz: out of Boston 20^l. Water-
ton 20^l. Charlton 10^l. Rockesbury 6^l. Meadford 3^l.
Winnett-semett 1^l.

It is ordered, that John Baker shalbe whipped
Jn^e Bakers cens. for shooteing att fowle on the Sabboth day c^r.

* "Gaylard" in L. copy.

It is further ordered that Thomas Moulton shall pay vnto Mr. Ralfe Glouer xl^s before the 8th day of Decemb^r nexte
 Tho Moulton sent. or els to be whipped for the wronge hee did Mr. Glouer in comeing from Plymoth being maister of his boate, & leaueing him without a pylott.

[67] A Court of Assistants holden att Boston 1th of March 1630-31.*

Present

The Gouern ^r	M ^r . Pinchon
Deputie Go ^u n ^r .	M ^r . Nowell
S ^r . Rich: Saltonstall	M ^r . Sharpe
M ^r . Ludlowe	M ^r . Coddington
Capt. Endicott	M ^r . Bradstreete.

It is ordered that M^r. Aleworth M^r. Weau^r M^r. Plastow M^r. Shut^r Cobbett† & Wormewood shalbe sent into England by the shipp Lyon, or soe many of them as the ship can carry the
 Seuerll persons sent prisoners home. rest to be sent thither by the 1th of May nexte if there be optunitie of shipping, if not by the nexte shipp that returnes for England as psons vnmeete to inhabit here, & that S^r. Christopher Gardn^r. & M^r. Wright shalbe sent as prisoners into England by the shipp Lyon nowe returneing thither. /

Further, it is ordered, that the busines concerneing M^r. George Ludlowe expressed in a certaine petition sent out of England to the Go^un^r. *or* shalbe referred to t[he] Go^un^r & Deputy Go^un^r. & the rest of the Assistants resident att Boston (or some 3 of them the Go^un^r [&] Deputie being 2 thereof) to receaue his answer, and determyne the busines.

M^r. Tho: Staughton, Constable of Dorchester is
 M^r Tho: Staughton fined. ffinyed v^l for takeing vpon him to marry Clem^t Briggs & Joane Allen, & to be imprisoned till hee hath pd his ffine.

7 (4)
 Indian not to be traded with in mony.

{ It is ordered that if any pson within the Lym-itts of this Pattent, doe trade trucke or sell any money eith^r siluer or golde, to any Indian, or any man that knoweth of any that shall soe doe & conceale the same shall forfe[it] twenty for one —

* See Winthrop I. 38, 39, for meetings in December, 1630.

† "Mr. Cobbett" in L. copy.

Further it is ordered that whateuer pson hath receau[ed] any Indian into their ffamylie as a serv^t shall discharge themselves of them by the 1th of May nexte, & that noe pson shall hereafter intertaine any Indian for a serv^t without licence from the Court.

Nick: Knop
find for deodtie.

Nich: Knopp is fyned v^l for takeing vpon him to cure the scurvey by a water of noe worth nor value, which hee solde att a very deare rate, to be imprisoned till hee pay his ffine or giue securitye for it, or els to be whipped & shalbe lyable to any mans ac^{on} of whome hee hath receaued money for the s^d water.

[68]

Wellust salley.

Jost Weillust is chosen survey^r of the ordinanc & cannouneere for which hee is to haue allowed him 10^l p anⁿ.

Elford & surety
bond.

John Ellford hath bound himselfe in C mks, & Roger Connant & John Woodbury hath bound themselves in 40^l a peece for John Ellfords psonall appearance att the first Court to be holden in Novemb^r nexte to answere for the death of Thomas Puckett.

M^r. Willm Pelham & M^r. Edmond Lockewood hath promised to pay to the Court the some of v^l. for Nich: Knopp before the last Court of May nexte.

Att a Court att Waterton March 8th 1630-31.

P^rsent

The Go^un^r

Deputie Go^un^r

S^r. Rich: Saltonstall

M^r. Ludlowe

M^r. Nowell

M^r. Pinchon

M^r. Coddington

M^r. Bradstreete.

Indians recompence
for 2 wigwams,
burnt by S^r R^t:
Salf[man]:

Vpon a complaynte made by Saggamore John & Pet^r. for haueing 2 wigwams burnt which vpon examina^{on} appeared to be occasioned by James Woodward serv^t to S^r. Rich: Saltonstall it was therefore ordered that S^r. Richard should satisfie the Indians for the wronge done to them (which accordingly hee did by giueing them 7 yards of cloath) & that his said serv^t. should pay vnto him for it att the end of his tyme the some of l^s.

Tho: Fox sent. It was ordered that Tho: Foxe serv^t to M^r. Cra-
docke shalbe whipped for vttering mallitious & scan-
dilous speeches, whereby hee sought to traduce the Court as if they
hadd taken some bribe in the busines concerneing Walter Palmer./

Courts
legality. Further (in regard the number of Assistants
are but fewe & some of them goeing for England) it
was therefore ordered that whensoever the number of

9 Assistants resident within the Lymitts of this Juris-
diccion shalbe fewer then 9, it shalbe lawfull for the maior p^{te} of
them to keepe a Court and whatsoe^u orders or acts they shall make
shalbe as legall & authentical as if there were the full number of 7
or more.

[69] Att a Court of Assistants holden att Boston March 22th 1630—31.

Present

The Gouern ^r	S ^r . Rich: Soltonstall
The Deputie Gou ^{rn} ^r	M ^r . Pinchon
M ^r . Ludlowe	M ^r . Sharpe
M ^r . Coddington	M ^r . Bradstreete.
M ^r . Nowell	

Workmens wages
at liberty. Rates. It is ordered (that whereas the wages of Car-
pent^{rs} Joyners & other artificers & workemen were
by order of court restrayned to pticul^r somes) [^] shall
nowe be lefte free & att libertie as men shall ^{||} reasonably ^{||} agree.

Armes for all inhab-
itants to be provided. Further it is ordered that e^uy Towne within this
Pattent shall before the 5th of Aprill nexte, take es-
petiall care that e^uy pson within their Towne (ex-
cept magistrates & ministers) as well serv^{ts} as others,
be furnished with good & sufficient armes allowable by the Capt. or
other officers, those that want & are of abilitie to buy them them-
selues, others tha[t] are vnable to haue them pvided by the Towne for
the present, & after to receiue satisfaccon for that they disburse when
they shalbe able.

Cardes & dice
11
to be made away
wth. (s) { It is likewise ordered that all psons whatsoever
that haue cards dice or tables in their howses shall
make away with them before the nexte Court, vnder
paine of punishm^t./

Johnson acknowl-
edg^d of 13^l debt to
Sr: Rich.

Rich: Johnson confesseth to owe vnto Sr: Richard Saltonstall (all accompts cleared) the some of 13^l. wth hee promiseth to pay after 2^a p weeke, therefore it is ordered that those that settis Johnson on worke shall pay vnto Sr: Richard out of his wages the s^d 2^a p week.

Cribb, Cable, &
Trowent sent. to be
whipt.

It is ordered that Beniamyn Cribb John Cable & Morris Trowent shalbe whipped for stealeing 3 piggs of M^r. Ralfe Glouers.

Rich: Lounge confesseth to owe vnto M^r. Ludlowe the some of 3^l — 18^s — 4^d. which hee qmisseth to pay him after 2^a p weeke till it be all satisfied.

It appeares by Sr: Rich: Saltonstalls note of disbursm^t that Willm Knopp owes him the some of 19^l v^s, as was evidenced to the Court by Richard Browne & Ephraim Childe being men indifferently chosen betwixte them to iudge thereof.

[70] A Court of Assistants holden att Boston Aprill 12th 1631.*

P^rsent,

The Go^un^r
Deputie Go^un^r
M^r. Ludlowe

M^r. Nowell
M^r. Pinchon
M^r. Bradstreete.

Watches, when to
begin.

It is ordered that there shalbe a watch of 4 kept e^uy night att Dorchester & another of 4 att Waterton the watches to begin att Sunsett.

Disturbance of y^e
12 (6)

{ Further it is ordered that if any pson shall shoote of any peece after the watch is sett, hee shall forfeit 40^s. or if the Court shall iudge him vnable then to be whipped, the second fault to be punished by the Court as an offence of an higher nature.

18
Ammunition, e^uy
man to provide.

It is likewise ordered, that e^uy man that findes a muskett shall before the 18th day of this moneth (& soe alwaies after) haue ready 1^l of powder 20 bullets & 2 fathome of match vnder penaltie of x^s for e^uy fault. — moderated 470 : †

Trainings one a
week.

It is ordered that e^uy Captaine shall traine his companie on Saterday in euerie weeke.

* See Winthrop I. 52.

† This number, which is not in the Lechford copy, is a reference to an order of the General Court passed in June, 1641, and numbered 470 in the margin of the record. See Mass. Col. Records, Vol. I., p. 307.

Further it is ordered that noe pson shall travell
 Travellers not to go single betwixte theis plantacons & Plymouthe nor
 unarmed. without some armes though 2 or 3 togeath'.

A Court of Assistants holden att Boston May 3 1631.

Present

The Goūn'	M ^r . Nowell
Deputie Goūn'	M ^r . Pinchon
M ^r . Ludlowe	M ^r . Bradstreete
Capt. Endicott	

It is ordered that Thomas Chubb shall be freed from the service of M^r. Sam^l Maūacke & shall become serv^t to Willm Gayllerd of Dorchester.

It is ordered that John Legge serv^t to M^r. Humfry shalbe seuerely whipped this day att Boston, and afterwards soe soone as conveniently may be att Salem for strikeing Richard Wright when hee came to giue him correccon for idleness in his maist^r worke.

[71]

Walford to
dey^t y^e patent.

Tho: Walford of Charlton is ffyned xl^s. & is in-
 ioyned hee and his wife to depte out of the lymits
 of this Pattent before the 20th day of October nexte
 vnder paine of confiscacon of his goods for his con-
 tempt of authoritie & confrontinge officers c^r.

Trespases in corne,
own^rs of cattile to
pay.

Swyne forfeited c^r.

It is ordered that for this yeare if the coves horses or goates of any
 mans in any plantacon ~~shall~~ (Salem excepted) shall
 trespasse & doe hurte in the corne of another, that the
 owner of the cattell shall make full satisfaccon for the
 damage done by them, & that all swine that are found
 in any mans corne shalbe forfeit to the publike, out
 of w^{ch} the p^rtie damnyfied shalbe satisfied, if y^e swine soe forfeited be
 of that value, if not the owner is to make full recompence in other goods.

It is ordered that Thomas Bartlett serv^t to M^r. Pelham shalbe
 whipped for his vniust selling of his maisters tooles, &
 Tho: Bartlets sent. that Sam^l Hosier & John Page shall returne either
 the tooles they bought of him or the prices thereof to M^r. Pelham.

John Norman sen^r. is ffyned x^s for his not appearing att the Court
 being summoned.

A Jury impannelled to inquire concerneing an acton of Battry complayned of by Thomas Dextor against Capt. Endicott

Rich: Browne	Henry Wolcott
Willm Clearke	Sam ^l Hosier
Alex: Wignall	John Stickland
John Dillingham	Isaac Sternes
John Gosse	Daniell Fince
John Johnson	Edw: Converse.

The Jury findes for the plantiffe and cesses for damages xl^s.

[On page 72 and the beginning of page 73 is the record of a General Court 18 May, 1631. The rest of page 73 and pages 74 and 79 contain lists of freemen admitted from 1631 to 1634. Between pages 74 and 79 there were at the time the pages of the book were numbered two leaves paged 75, 76, 77, and 78. These are now in the first part of the original volume and are paged, beside the old paging, (1), (2), (9), and (10). The order in which Lechford made his copy, about the year 1640, indicates that these two leaves with other miscellaneous matter were then at the end of the original volume, and that the first pagination took place at a later date after these two leaves had been inserted between pages 74 and 79. In fact, the first numbering of the pages of the original seems to have been done by Rawson, the Secretary after Nowell. The leaf paged 75 and 76 contains the oaths for the governor and for the council. That paged 77 and 78 contains the "Answer" of John Pratt and the action of the court thereon. This has no date, but it appears from a mention of it by Winthrop, in his History of New England, page 173, to have been at a meeting of the Court of Assistants Nov. 3, 1635. It will be found below at the end of Part I.]

[80]

A Court holden att Boston June 14th 1631.

Present	16	It is ordered that noe man within the limitts of this Jurisdicōn shall hire any pson for a serv ^t for lesse time then a yeare, vnles hee be a setled housekeep also that noe pson w ^{soeuer} shall trauell out of this pattent eith ^r by sea or land without leauē from the Govern ^r Deputy Go ^u n ^r or some other assis- tant, vnder such penalty as the Court shall thinke meete to inflict.
The Go ^u n ^r	(8)	
Deputy Go ^u n ^r	[sv ^r]	
Mr. Ludlowe		
Capt. Endicott		
Mr. Nowell	Licence.	
Mr. Pinchon		
Simon Bradstreete.	17	

It is ordered that the Constables of the se^uall planta^uons shall giue notice to the credit^r of Capt. Levett John Boggust & Henry Lauson to be att the nexte Court to make q^ufe of their debts that they may receiue satisfacōn for the same, soe farr as their goods will afford.

Vpon the reading of certaine Artickles concerneing a ge^uall trade of beav^r agreed vpon by Capt. Endicott & dyv^s others. It was ordered that the psons interest^r therein shall giue a meeteing before the nexte

Court att such tyme & place as Capt. Endicott shall appoynt, to discide such differences as are betwixte them, & for such as they cannot end to bring them to the nexte Court there to be determined.

John Maisters's.* Mr. John Maisters hath vnderaken to make a passage from Charles Ryver to the newe Towne [12]† foote broad & [7] foote deepe for which the Court gmiseth him satisfaccon according as the charges thereof shall amount vnto.

It is ordered that Phillip Swaddon shalbe whipped for runing away from his maister Robte Seely, intending to goe to Virginia.

It is ordered that Phillip Ratliffe shalbe whipped haue his eares cutt of fyned 40^s & banished out of y^e lymitts of this Jurisdiccon, for vttering mallitious & scandalous speeches against the goūm^t & the church of Salem C^t, as appeareth by a pticul^r thereof, quod vpon oath.‡

Licence.

18

leauē from the Goūn^t or some oth^r of the Assistants.

Chickatabut.

Chickatabott is fyned a skyn of beau^r for shooteinge a swine of S^r. Rich: Saltonstalls.§

Ja: Browne gmiseth payem^t.

Willm Almy is ffyned ij^s vi^d for takeing away M^r Glouers cannoe without leauē.

19

[Edw^d Converse undertakes] to keep Charlestown Ferry.

Edw: Converse hath vnderaken to sett vpp a fferry betwixte Charlton & Boston for which hee is to haue ij^d for eūy single pson & 1^d a peece if there be 2 or more.

It is ordered that M^r. Pelham shall pay vnto Tho: Goilthayt the somme of v^l (whereof 5 nobles is already p^d) w^{ch} the Court hath awarded him to pay to make good a covenant betwixte them.

[81] A Court of Assistants holden att Boston July 5th 1631.

Present,
The Goūn^r
Deputy Goūn^r
Mr. Ludlowe
Mr. Nowell
Mr. Pinchon
S: Bradstreete.

It is ordered there shalbe leyved out of the seūall plantacons the somme of thirty pounds for the making of the creeke att the Newe Towne, vz.: Winttsem^t 15^s Wessaguscus 40^s Saugus 20^s Natascett 10^s Waterton v^l Boston v^l Dorchester 4^l 10^s Rocksbury 3^l Salem 3^l 15^s Charlton 4^l 10^s.

20

Ilands

Further it is ordered that all the Ilelands within the Lymitts of this pattent vz. Conants Ileland

* In modern hand.

† "20" in L. copy.

‡ See Winthrop I. 56.

§ See Winthrop I. 56.

Noddles Ileland Tompsons Ileland togeath' with all other Ilelands within the lymitts of our pattent shalbe apppriated to publique benefit & vses, & to remaine in the power of the Goūn' & Assistants (for the time being,) to be lett & disposed of || by || them to helpe towards publique charges, & that noe pson w'soeu' shall make any vse or benefitt of any of the said Ilelands, by putting on Cattell, felling wood raising slate &c. without leaue from the Goūn' & Assistants for the time being. This order to take place imediately after the first of Octob' nexte.

Asistants to make
summons.

21

Court.

(9) { It is further ordered that eūy Assistant shall haue power to graunt warⁿ. suūons & attatchmⁿ, as occasion shall require, & that the acts of the Court shalbe authentickall if they passe onely vnder the Sec- retaryes hand for y^e tyme being.

||The Saggamore of Aggawam is banished from comeing into any Englishe mans howse for the space of a yeare, vnd' the penalty of 10 skins of beav^r.||

Att a Court holden att Boston July 26th. 1631.

Present,
The Goūn'
Deputy Goūn'
Mr. Ludlowe
Capt. Endicott
Mr. Nowell
Mr. Pinchon
S: Bradstreete

[22]

(10)

Fyree.

For the p'servaçon of howses hay boards timb^r &c it was ordered that noe pson whatsoever within the Lymitts of o' Pattent shall burne any ground any yeare till the first of March, vnder such penalty as the Court shall thinke meete to inflict; & if any pson be desirous to burne any of his owne ~~corne~~ ground for corne before that time, hee shall make full satisfacçon for the damage it doeth in case any be occasion^d thereby. Altered &c 442.*

Lucy Smyth.

Lucy Smyth is bound as an apprentice with M^r. Roger Ludlowe for 7 yeares ~~for weh~~ dureing w^{ch} tyme hee is to finde her meate drinke & cloathes, & att the end of her yeares to giue her the some of v^l.

Watch.

It is ordered that there shalbe a watch of sixe & an offi[cer] kept eūy night att Boston, 2 whereof are to be of Boston 2 of Charlton and 2 of Rocksbury.

* This refers to an order of the Genl. Court passed Nov., 1639, and numbered 442 in the margin of the record.

4. It is further ordered that eūy first thursday in
 Traineing. eūy m[oneth] there shalbe a geñal traineing of Capt.
 Vnd'hills com[pany] att Boston & Rocksbury, & eūy first Friday in
 eūy moneth there shalbe a geñal traineing of the remaind^r of them
 [that] inhabitt att Charlton Misticke & the newe Towne att [some]
 convenient place aboute the Indian wigwams, the traine[ing to] begin
 att one of the clocke in the afternoone.

[82.] It is ordered that Frauncis Perry shalbe whipped for his ill
 speeches & misbehav^r towards his maister.

M^r. Frauncis Aleworth is chosen Leifeten^t vnto Capt. Southcoate,
 & Capt. Southcoate hath liberty graunted him to goe for England
 pmisinge to returne againe wth all convenient speede.

A Court of Assistants holden att Boston August 16th, 1631.

Present,
 The Go^{vt}
 Deputy Go^{vt}
 Mr. Ludlowe
 Mr. Nowell
 Mr. Pinchon
 S: Bradstreete

Debts.

28

[11]

It is ordered that any bill assigned
 to another shalbe good debt to the pty to
 whome it is assigned, also that such debts
 due vpon bill shalbe pd before any other
 & that the pty that giueth such bills shall
 renewe them vpon demaund & deliūy in of
 the olde bill.

Shep. Cole
 Gibbings fined 5
 m^r's a peece.

It is ordered that M^r. Shepheard and Robte Coles
 shalbe ffyned 5 mks a peece & Edward Gibbons xx^s for
 abusinge themselues disorderly with drinkeing to much
 stronge drinke aboard the Frendshipp, & att M^r. Maūacke his howse at
 Winettsem^t. discharged, 409.*

Wignall.

M^r. Alex: Wignall is ffined 5 mks for the like
 offence att the same time.

Garrets executors.

It is further ordered that the execut^{rs} of Rich:
 Garrett shall pay vnto Henry Harwood the some of
 20 nobles, according to the pporcion that the goods of the said Rich:
 Garrett shall amount vnto.†

Swaddon freedom.

It is ordered, that Phillip Swaddon shalbe sett
 free from his maister Robte Seely vpon the payem^t
 of x^s to his maister.

M^r. Gennison, Ensl.

M^r. Willm Gennison is chosen anchient to Capt.
 Patricke.

* This refers to an order of the Gen^l. Court passed Sept., 1633.

† See Winthrop I. 39.

A Court of Assistants holden att Boston Septemb^r 6th 1631.

Present,
The Go^{vm}^r
Deputy Go^{vm}^r
Mr. Ludlowe
Mr. Nowell
Mr. Pinchon
S: Bradstreete.
Gour Winthrop 600
[acres at] Mistake.

It is ordered that Henry Lyⁿ shalbe whipped and banished the planta^{on} before the 6th day of Octob^r nexte for writeing into England falsely & mallitiously against the go^{vm}^r & execu^{on} of Justice here.*

There is graunted to M^r. Go^{vm}^r 600 a^c of land to be sett forth by m^{ks} & bounds neere his howse att Misticke to enioy to him & his heires for euer.

It is ordered John Dawe shalbe seuerely whipped for intiseing an Indian woman to lye wth him. Vpon this occa^{on} it is gpounded with^r adultery eith^r wth English or Indian shall not be punished wth death./ Referred to the nexte Courte to be considered of.†

[83] M^r. Alex: Wignall is f^{ined} 40^s. bound to his good behav^r & enioyned to remove his dwelling to some settled planta^{on} before the last of May nexte, for drunkenes & much misdemean^r by him co^mitted att the planta^{on} where nowe hee dwelleth.

A Court of Assistants holden att Boston Septemb^r 27th 1631.

Present,
The Go^{vm}^r
Deputy Go^{vm}^r
Mr. Ludlowe
Mr. Nowell
Mr. Pinchon
S: Bradstreete.

25

It is ordered that Sawers shall not take aboue 12^d a scoore for boards if they have their wood felled & squared for them, & not aboue 7^s the hundred after 5 scoore to the hundred if they fell & square their wood themselues.

Willm Phelps is chosen constable of Dorchester.

It is ordered that Josias Plastowe shall (for stealeing 4 basketts of corne from the Indians) retorne them 8 basketts againe be f^{ined} v^l & hereafter to be called by the name of Josias & not M^r. as formly hee vsed to be, & that Willm Buckland & Tho: Andrewe shalbe whipped for being accessary to the same offence.‡

A Court of Assistants holden att Boston Octob^r 18th 1631.

Present,
The Go^{vm}^r
Deputy Go^{vm}^r
Mr. Ludlowe [26]
Capt. Endicott 12
Mr. Nowell
Mr. Pinchon
S: Bradstreete.

[18]

It is ordered that if any man shall have carnall copula^{on} with another mans wife ~~be the Englishe or Indian~~ they both shalbe punished by death. [This was confirmed the first month 1637 or 1638.§]

* See Winthrop I. 61.

† See Winthrop I. 60, 61.

‡ See Winthrop I. 61.

§ This, which appears to have been written by Increase Nowell, is not in the L. copy.

The constable of Roxbury retournes the receipt of M^r. Shepheards fine of 5 mks & soe it remains in his hands to be accomptable for it. M^r. Goūn^r is to haue 40^s of it w^{ch} hee p^d for ferryeing the watch from Charlton to Boston.

27
Tho: Grays
censure.
quare.*

It is ordered that Thomas Grayes howse att Marble Harb^r shalbe puld downe, & that noe Englishe man shall hereafter giue howseroome to him or intertaine him vnder such penalty as the Court shall thinke meete to inflicte.

28

It is ordered that there shalbe taken out of the estate of M^r. Crispe & his company the some of xijⁱ j^s v^d & deliued to John Kirman as his pp goods, & after the whole estate to be Inventoryed, whereof the s^d John Kirman is to haue an 8th p^{te}, this to be done with all convenient speede by theis 5 com^{mission} or any 3 of them viz^t: M^r. John Masters M^r. Robte Feakes† M^r. Edward Gibbons Epharim Childe Danⁿ Fynch c^r.

41
Corn in payment.

It is further ordered that corne shall passe for payem^t of all debts at the vsuall rate it is solde for except money or beav^r be expressley named.

[84] Att a Meeteing of Assistants att Boston February the 3 1631.

Present,
The Goūn^r
Deputy Goūn^r
Mr. Ludlowe
Capt. Endicott
M^r. Nowell
M^r. Pinchon
S: Bradstreete

It was ordered, there should be three score pounds levyed out of the seūall plantacons within the Lymitts of this Pattent towards the ~~pallacoding~~ makeing of a pallysadoe aboute the newe Towne viz^t: Waterton † viijⁱ the newe Towne iijⁱ Charlton vijⁱ Meadford iijⁱ Saugus & Marble Harb^r vjⁱ Salem iiijⁱ xⁱ Boston viijⁱ Roxbury vijⁱ Dorchester vijⁱ Wessagus vⁱ Winettsem^t xxx^s.

Knowers bond.

Thomas Knower hath bound himselfe in xⁱ to make his psonall appearance att the nexte Court to be holden att Boston the first Tuesday in March nexte to answer to such things as shalbe obiected against him./

* This marginal note is in the handwriting of Edward Rawson.

† "Fcke" in L. copy.

‡ See Winthrop I. 70.

A Court of Assistants, holden att Boston March 6th 1632.*

29

Present,
The Go^{vr}
Deputy Go^{vr}
Mr. Ludlowe
Capt. Endicott
Mr. Nowell
Mr. Pinchon
S: Bradstreete

30

Armour to be
p^rvided for by
service, &c.

It is ordered that noe planter within the Lymitts of this Jurisdiction returneing for England shall carry either money or beav^r with him wthout leave from the Goun^r (for the time being,) vnder paine of forfeitinge the money or beaver soe intended to be transported.

As an addi^{ti}on to an order made the 22th of March 1630 it is ordered that if any single p^{er}son be not p^rvided of sufficient armes, allowable by the Capt. or Leifeten's before the 10th of Aprill nexte, ^hshalbe compelled to serue by the yeare with any maister that will retaine him for such wages as the Court shall thinke meete to appoynte.

It is ordered that Courts hereafter shalbe helde e^uy first Tuesday in e^uy moneth.†

Robert Coles.‡

It is further ordered that Robte Coles of Rocksbury shalbe fined xx^s for being drunke att Charlton in Octob^r last, & is iniointed to confesse his fault to the Court, (nowe comitted in extenuateing his offence) the nexte Court & after att the Genall Court.

Tho: Knower hath bound himselfe in x^s to make his p^{er}sonall [ap-pearance] att the nexte Court to answer to such things as shall be obiected against him.

[85] A Court of Assistants holden att Boston April 3 1632.§

Present,
The Go^{vr}
Deputy Go^{vr}
Mr. Ludlowe
Capt. Endicott
Mr. Nowell
Mr. Pinchon
S: Bradstreete
Catching foule.

Tho: Knower was sett in the bilbowes for threateing the Court that if hee should be punist, hee would haue it tryed in England whither hee was lawfully punished or not.

It was ordered, that noe p^{er}son w^hsoeuer shall att any shoote att fowle vpon Pullen Poynte or Noddles Ileland but that the s^d places shalbe reserved for John Perkins to take fowle wth netts.

Vpon Robte Coles confession of his faulte comitted the last Court in extenuateing of his offence of drunkenes the Court remitted his ffyne & further confession eniointed him the last Court.

* See Winthrop I. 70, 71, for Meetings Feb. 17 and March 5.

† See Winthrop I. 71.

‡ In modern hand.

§ See Winthrop I. 72.

31 Sarah Morley is putt as an apprentice to M^r. Nathanaell Turner of Saugus for the space of nyne yeares from this Court for w^{ch} tearme hee is to finde her meate drinke & cloathing.

32 Connants
Iland, or Gour^e
Garden, gr^{ted} to
John Winthrop,
Esq^r, Gour^r.

The Ileland called Conant's Ileland, with all the lib^{ties} & previlidges of fishing & fowleing, was demised to John Winthrop Esq^r the p^{'sent} Go^un^r for the tearme of his life for the ffine of fforty shillings & att the yearely rent of xij^d to be paid to the Treasurer vpon the 25th day of March & it was further agreed, & the said John Winthrop did covenant & promise to plant a vineyard and an orchyard in the same, in considera^{on} whereof the Court did graunt that att the end of the said tearme the lease hereof should be renewed to the heires or assignes of the said John Winthrop for one & twenty yeares, payeing yearely to the Go^un^r, for the time being, the fifth p^{'te} of all such fruits & profits as shalbe yearely raysed out of the same, & soe the same lease to be renewed from time to time vnto the heires & assignes of the said John Winthrop with the said reserva^{on} of the said fifth p^{'te} to the Go^un^r for the time being, & the name of the said Ileland was * changed, & is to be called the Go^un^r Garden. provided that if the heires or assignes of the said John Winthrop shall att any time suffer the said Ileland to lye wast, & not imque the same, then this p^{'sent} demise to be voide.

[86]

March 6th 1632.†

33
Charles Towne
& New Towne
bounds.

It is agreed vpon by the p^{'tyes} whose names are here vnderwritten By vertue of an order of Court ff^r the appointed† & setting out the bounds of Charles-Towne & Newe Towne,

First it is agreed that all the land impaled by Newe Towne men with the necke therevnto adioyning whereon M^r. Graues dwelleth shall belonge to the said Newe Towne & that the bounds of Charles Towne shall end att a Tree marked by the said pale, & to passe alonge from that tree, by a straight lyne vnto the mydway betweene the westernmost p^{'te} of the greate lott of land of John Winthrop Esq^r. nowe Go^un^r of the Englishe Colony in the Massachusetts, & the

* "Is" in L. copy.

† A similar entry will be found following the record of 7 Nov. 1632.

‡ "Appointing" in L. copy.

nearest p'te thereto of the bounds of Waterton. In witnes whereof
wes have herevnto sett o' hands the day & yeare aforesaid.

Tho: Mayhewe,
Nath: Turner,
George Alcocke.

[Page 87 is blank. Page 88 contains the record of the General Court
May 9, 1632.]

[89] A Court of Assistants holden att Boston June 5th 1632.*

Present
The Go^{on}
Deputy Go^{on}
Mr. Nowell
Mr. Pinchon
Mr. Ludlowe
Mr. Winthrop, Jun^r
S: Bradstreete.

Day of
Thank-
giving.

The Court takeing into considera^{on}
the greate mcy of god vouchsafed to the
Churches of god in Germany and the Pal-
lattinate *et* hath appoynted the 13th day of this
p'sent moneth to be kept as a day of publike thanks-
giueing throughout the se^uall planta^{on}s.†

Comp^a goods securd.

It is ordered that the goods of the company of hus-
bandmⁿ shalbe Inventoryed by the Beadle, & p'serued
here for the vse and benefitt of the said company.

36
200 acres of land gr^t
to Tho: Dudley,
Esq^r.

It was further ordered that there shalbe 200 a^c
of land sett out by mks & bounds on the west side of
Charles Ryver ouer against the Newe Towne to enioy
to Thomas Dudley Esq^r. Deputy Go^{on} to him & his heires for euer.

bever.
37

It was likewise ordered that e^uy planter inhabit-
ing wthin this Pattent shall pay to the Court towards
the defrayeing of publike charges xij^d for e^uy pound
of beav^r that hee shall trade for with any Indian within this Pattent or
that hee brings into the Pattent haveing traded the same with any for-
raine Indean. Rep. 207.‡

Trucking houses.

Also it is agreed that there shalbe a trucking
howse appoynted in e^uy planta^{on} whither the
Indians may resorte to trade to avoide there comeing to se^uall howses.

Josias Plastow
estat to be inq^urd
after.

There is a Co^mission graunted to Mr. Pinchon &
Mr. Ma^udicke Sen^r. to make inquiry & to take deposi-
tions of the creditors of Josias Plastowe & th[ere] wit-
nesses, that it may appeare what debts are oweing by him, & soe his
estate to be p'serued here till the nexte Court.

* See Winthrop I. 73, for meeting May 1.

† See Winthrop I. 79.

‡ This refers to an order of the Gen^l. Court, March, 1635, repealing the first order.

[90]

A Court holden att Boston July 3 1632.

Present
 The Goſn^r
 Deputy Goſn^r
 M^r. Ludlowe
 Capt. Endicott
 M^r. Pinchon
 M^r. Winthrop
 S: Bradstreete
 M^r. Nowell.

Capt. Endicott being chosen an Assistant att the geñall Court did nowe take an oath to his place belonging, in the p'sence of the Court.

It is ordered that Joist Weillust shall haue allowed him v^l towards his transportaçon into his owne Country whith^r. according to his desire hee hath free leaue to goe.

It is ordered that Thomas Dextor shalbe bound to his good behav^r till the nexte geñall Court, & ffined v^l for his misdemean^r & insolent carriage & speeches to S: Bradstreete, att his owne howse also att the geñall Court is bound to confesse his fault.

There is a necke of land lyeing aboute 3 myles
 88
 Jo: Endicotts land.* from Salem cont. aboute 300 a^c of land graunted to
 Capt. Jo: Endicott to enioy to him & his heires for
 euer called in the Indean tonge Wahquamesehcok in English Birch-
 wood, bounded on the south side with a Ryver called in the Indean
 tounge Soewamapenessett, coñonly called the Cowe
 Mr. Endicotts farme. Howse Ryver. bounded on the North side with a
 Ryver called in the Indean tongue Conamabsqnooncant, coñonly
 called the Ducke Ryver. bounded on the East wth a Ryver leadeing
 vpp to the 2 forñ ryvers, w^{ch} is called in the Indean tongue Orkhussunt,
 otherwise knowen by the name of Wooleston Ryv^r. bounded on the
 west with the maine land.

There is another necke of land, lyeing aboute 3
 89
 Sam: Skelton. myles frō Salem cont. aboute 200 a^c graunted to M^r.
 Samⁿ Skelton to enioy to him & his heires for euer
 called by the Indeans Wahquack bounded on the south vpon a little
 Ryv^r called by the Indeans Conamabsqnooncant vpon the North abutt-
 ing on another Ryver called by the Indeans Ponomeneuhcant & on
 the East on the same ryv^r also there is graunted to M^r. Skelton one a^c
 of land, on w^{ch} his howse standeth. & 10 a^c more in a necke of land
 abutting on the South ryver, vpon the harb^r Ryv^r on the north, vpon
 Willm Allens ground on the East & vpon M^r. Higgensons ground on
 the west. likewise there is graunted to M^r. Skelton 2 a^c more of ground
 lyeing in Salem, abutting on the South ryv^r on the East vpon the
 Maine vpon the west, on Capt. Endicotts ground on the south & on
 John Sweetes ground on the North.

* In modern hand.

Bateman.* Willm Parks doeth p'mise if S^rieant Bateman comes noe more to satisfie M^r. Pinchon w^t shalbe thought meete by 2 indifferent men for 3 leaden waights by him lost, & 12 p^r of stockins w^{ch} the said Bateman solde to M^r. Pinchon for good ones but qued badd & moath-eaten./

[91] John Smithe is bound as an apprentice with M^r. John Wilson for fyve yeares from this Court dureing w^{ch} tearme M^r. Wilson is to finde the said John Smyth meate drinke & appell, & att the end of the said time is to giue vnto him the so^me of ff^yorty shillings.

It is likewise ordered that those goods w^{ch} were sent ouer with the said John Smythe shall remaine in the hands of M^r. Wilson for w^{ch} hee is to be accountable to those y^t sent them ouer.

**Bond for Appear-
ance.** Bryan Bincks & Peter Johnson hath bound themselves ioynctly & se^ually in x^l a peece that they shall not dept out of the P^atent wthout leave from the Go^urn^r & shalbe ready to attend vpon the Court, when they shalbe called to giue an account of their company goods.

John Smyth hath likewise bound himselfe in x^l to be accomptable for his companyes goods nowe Inventoryed & remaineing in his hands.

Drunkenes punisht. M^r. James Parker is ffined x^l & bound to his good behav^r till the nexte Court for his misdemean^r and drunkenes comitted aboard the Virginia shipp.

M^r. Sam^l Dudley is ffined x^l for the like offence att the same time.

**40
Military officers
care.** It is ordered that the Capt. & Officers shall take especiall care to search all peeces that are brought into the ffieild for being charged & that noe pson w^{soeuer} shall att any time charge any peece of service wth bulletts or shott other then for defence of their howses or att co[m]auⁿd from the capt. vpon such penallty as the Court shall thinke meete to inflict.†

[92] A Court holden att Boston August 7th 1632.‡

**P^resent,
The Go^urn^r
Deputy Go^urn^r
Mr. Ludlowe
Mr. Nowell
Mr. Pinchon
Mr. Winthrop
S^r. Bradstreete** Vpon further considera^on of Justice to be done vpon the murder of Walter Bagnall & vpon readeing a ire from those of Plymouthe being written in answer of a ire sent to them aboute it It is ordered that a boate shall be sent forth sufficiently manned with

* In modern hand.

† See Winthrop I. 80.

‡ See Winthrop I. 82 for meeting Aug. 3. See also I. 86.

comission to deale with the Plantacon to the Eastward, & to ioynē with such of them as shalbe willing thereto, for examinacon of the murder of the said Walter Bagnall & for app'hending of such as shalbe found guilty thereof, & to bring the prison's into the Bay it is referred to the Goūn' to take order herein.

It is ordered that the remaind' of M^r. Allens stronge water, being estimated aboute 2 gallands shalbe deliued into the hands of the deacons of Dorchest'. for the benefitt of the poore there, for his selling of it to dyvⁿ psons tymes to such as were drunke wth it, hee knowing thereof.

It is ordered that James Woodward shalbe sett in the bill-bowes for being drunke att the Newe Towne.

There is iij^l of Knops fine of v^l remitted.

4. It is ordered that the Capt. shalbe mainetained by their seūall companies.

41 M^r. Willm Pinchon is chosen Treasurer for this yeare nexte ensueing, & till a newe be chosen./

A Court holden att Boston Sept. 4th 1632.

Present,
The Goūn'
Deputy Goūn'
M^r. Ludlowe
Capt. Endicott
M^r. Tresur'
M^r. Nowell
M^r. Jos Winthrop
S: Bradstreete.

It is ordered that Robte Shawe shalbe seuerely whipt for wicked curseing sweareing iustifyeing the same & glorieing in it as hath been oved by oath.

John Stickland is ffined iij^l for his refusing to watch att the Capt. co[mau]nds.

Saggamore John *cr* qmised against the nexte yeare || & soe * euer after || to fence their corne against all kinde of cattell.

Josuah Barnes is bound as an apprentice to M^r. Paine for 5 yeares from his landing for 4^l p anñ wages and v^l att the end of his tearme to be paid to him by his said maister.

It is ordered † Willm Hamon shalbe sett in the bilbowes for being drunke.

M^r. Turner is chosen Constable of Saugus for this yeare & till a newe be chosen, & did nowe take an oath to his place belonging.

There is order giuen to M^r. Tres' to pay 40^s to Richard Waterman for killing a woulfe aboute 2 monthes since in Salem plantacon.

* "For" in L. copy.

† "Ordered that" in L. copy.

[93]

Capt.allery.

There is likewise order graunted to M^r. Tresurer to pay Capt. Vnderhill & Capt. Pattricke a quart's exhibiçon.

Mr. Feaks Left.

M^r. Robte Feakes * is chosen into the place of leifeten^t to Capt. Pattricke.

Hopkins sent.

It is ordered that Richard Hopkins shalbe seuereely whipt & branded with a hott iron on one of his cheekes for selling peeces & powder & shott to the Indeans. Hereupon it was p^pounded if this offence should not be punished hereafter by death referred to the nexte Court to be determined.†

A Court holden att Boston Nov. Octob^r 3 1632.

Present,
The Go^{vn}^r
Deputy Go^{vn}^r
Mr. Ludlowe
Capt. Endicott
Mr. Tresur^r
Mr. Nowell
Mr. Winthrop
S: Bradstreete.

Mr. Batchl^r
allenat.

Bever trade.

[42?]

House for
beadle, &c.

M^r. Tresurer hath p^{ro}mised to giue xxv^l for this yeare for his beav^r trade for wth his 12^d in the pound is remitted.

It is ordered that there shalbe a howse of correcçon & a house for the Beadle built att Boston wth w^t speede conveniently may be.

M^r. Batchel^r is required to forbear exercising his guifts as a past^r or teacher publicuely in o^r Patent unlesse it be to those hee brought with him, for his contempt of Authority & till some scandles be removed.

It is agreed that the Beadle shall have viij^l exhibiçon for this yeare.

It is ordered that James Woodward shalbe whipt for runing from his maist^r M^r. Gibbons, & absenting himselfe from his service, in recompence whereof hee shall doe him 6 weekes worke when his time comes out.

E: Burton find.‡

Edward Burton is fⁱⁿed v^l for his contempt of aucthority in refusing to come to the Court being sym^onoid by the Go^{vn}^r and 40^s for drunkenes

43
Saugus to build
wear.‡

It is ordered that Saugus plantaçon shall haue liberty to build a ware vpon Saugus Ryver, also they haue p^{ro}mised to make & continually to keepe a good foote-bridge vpon the most convenient place there.

It is ordered that Alex: Miller & John Wipple shall giue iij^s iiij^d apiece to their maister Israell Stoughton for their wastfull expence of powd^r & shott.

* "Feke" in L. copy.

† See Winthrop I. 88.

‡ In modern hand.

Leifeten^t Aleworth hath liberty graunted him to returne to England by the shipp Lyon.

44 There is 60 a^c of meadowe ground graunted to
Simon Bradstreet. Simon Bradstreete in the marshe ~~ground~~ against the
60 acres. Oyster banke where hee shall chuse to inioy to him
& his heires for euer.

[94] It is ordered that Nicholas Frost, for theft by
45 him comitted att Damerills Cove vpon the Indeans for
Nich: Frost cens. drunkenes and fornicacion of all w^{ch} hee is convicted,
shalbe fined v^t to the Court & xlⁱ to Henry Way & John Holman, shalbe
seuerely whipt & branded in the hand with a hott iron, & after banished
out of this Pattent, with penalty that if euer hee be found within the
lymitts of the said Pattent, hee shalbe putt to death: also it is agreed
that hee shalbe kept in boults by Henry Way & John Holman till his
ffines be paid, dureing w^{ch} time hee is to beare his owne charges.

It is thought by geⁿall consent that Boston is
Boston y^e fittest the fittest place for publike meeteings of any place
place for meetings. in the Bay.

It is ordered that from the 1th of March nexte e^uy pson shall
satisfie for the damages his swine shall doe in the corne of another.

Tobacco phibited. It is further ordered that noe pson shall take
any tobacco publicquely vnder paine of punishm^t also
that e^uy one shall pay j^d for euery time hee is convicted for takeing
tobacco in any place, & that any assistant shall haue power to re-
ceave evidence & giue order for the levyeing of it as also to giue order
for the levyeing of the officers charge this order to begin the 10th of
Novemb^r nexte.

Geo: Dyar con- George Dyar is chosen Constable of Dorchest^r
stable.* for this yeare nexte ensueing & till a newe be chosen
& did nowe take an oath to his place belonging.

A Court holden att Boston Novemb, 7th 1632.

<p>Present, The Go^{vr} Deputy Go^{vr} Mr. Ludlowe Mr. Tres^r 46 Mr. Nowell Mr. Winthrop S: Bradstreete.</p>	<p>For preserva^on of good timb^r for more necessary vses It is ordered that noe man shall fell any wood for paleing but such as shalbe vewed & allowed by the nexte Assistant, or some whome they shall depute to doe the same, this order not to extend to ground that is or shall be assigned to pticul^r psons.</p>
--	---

* In modern hand.

Differ betw Ch. &
New. referd.

47
Charlestown &
Newton.*

It is ordered that the difference betwixte Charles-Towne & Newe-Towne [for ground] shalbe referred to M^r. MaDicke Jun^r. M^r. Alcocke M^r. Turner & John Johnson to vewe the ground wood & meadowe, & soe to sett downe the bounds betwixte them.

48

It is ordered that the necke of land betwixte powder horne hill & pullen poynte shall belonge to Boston to be enioyed by the Inhabitants thereof for euer.

49

It is likewise ordered that the Inhabitants of Boston shall haue liberty to fetch wood from Dorchester necke of land for 20 yeares the ppriety of the Land to remaine to Dorchester.

[95]

50
Comitte ab^t Dor &
Rox bounds.

Capt. Traske M^r. Conant Willm Cheesebrough & John Perkins are appoincted by the Court to sett downe the bounds betwixte Dorchester and Rocksbury. Ralfe Sprage is chosen Vmpire.

51

100 acres to M^r.
Ludlow.

There is 100 a^c of land graunted to M^r. Roger Ludlowe to inioy to him & his heires for euer lyeing betwixte Musquantum chappell & the mouthe of Naponsett.

Jn^e Finch find.

John Finch is ffined x* for wanting armes for his man & for being absent himselfe from traineing.

Hen Lin find.

Henry Lynn is ffined x* for absenting himselfe from traineing.

M^r. Mathewe Cradocke is ffined iiijⁱ for his men being absent from traineing dyvers times.

52

Capt. to traine but
once a mo.

It is ordered that the Capt. shall traine their companies but once a monethe.

S^r Ri: Salt amerst.

It is ffurther agreed that S^r. Richard Saltonstall shall giue Saggamore John a hogshead of corne for the hurt his cattell did him in his corne.

[53?]

No reward for kill-
ing woolues.

It is ordered that neith^r Englishe nor Indeans shall haue any more rewards giuen them for killing woolfes.

54

50 acres mea to Jn^e
Winthrop, Esq^r.

There is aboute 50 a^c of mead ground graunted to John Winthrop Esq^r p^rsent Go^u^r lyeing betwixte Cobbetts howse & Wanottymies Ryver.

* In modern hand.

55
Land to Jⁿ Hum-
phry, Esq^r.

It is referred to M^r. Turner Peter Palfry & Roger Conant to sett out a pporcion of land in Saugus for John Humfry Esq^r.

56
M^r. Phillips 30 lot.

M^r. Phillips hath 30 a^c of land graunted him vpp Charles Ryver on the south side begininge att a Creeke a lyttle higher then the first Pynes, & soe vpwards towards the ware.

Robt Huit sent.

It is ordered that Robte Huit & Mary Ridge shalbe whipt for comitting fornicacōn togeather of w^{ch} they are convicted.

There is iiij^l of Tho: Dexters ffine of v^l forgiuen him./

6th M^{ch} 1632.

Charlestown &
Newtown bounds.

It was agreed by the parties appointed by the Court e^r That all the ground impaled by Newe towne men, wth the neck whereon M^r. Grave[s] his house standeth shall belong to Newe towne, & that the bounds of Charlestowne shall end at a tree m^ked by the pale, & to passe along from thence by a straight line vnto the midway betwixt the westermost part of the Governo^r greate lot, & the nearest part thereto of the bounds of Watertowne.*/

[96]

A Court holden att Boston March 4th 1632.†

Present,
The Go^{vr}
Deputy Go^{vr}
Mr. Ludlowe
Capt. Endicott

Mr. Trese.
Mr. Nowell
Mr. Winthrop, Jun
S: Bradstreete

There is administraōn graunted to Roger Ludlowe Esq of the goods and chattells of John Knight whoe diseased in Novemb^r last.

The Court hath reversed the last act against M^r. Batchel^r w^{ch} restrained him from further gathering a Church wthin this Patten^t.

Mr. Dexters sent for
reproaching y^e
Court.

It is ordered that Thomas Dexter shalbe sett in the bilbowes disfranchized & ffined xl^l for speakeing re-
p^{ch}full & seditious words against the Go^{vr}^m here
established & findeing fault to dyvⁿ wth the acts of the Court sayeing

* This entry is in the handwriting of Increase Nowell. See also above before the record for June 6, 1632.

† See Winthrop I. 96, 97, for Meeting of Council Nov. 23, and Meeting of Assistants Dec. 4, 1632.

this captious goũm' will bring all to naught adding that the best of them was but an Attorney eſ.

87
Boston & Rox.
bounds.

It is agreed that the bounds formly sett out betwixte Boston & Roxbury shall continue, onely Roxbury to enioy the conveniency of the creeke neere therevnto.

Rate for cap.
salery.

Boston is cessed v' Charlton iiiij' Roxbury vj' Waterton vj' Newe-Towne vj' Meadford iiij' for the maintenance of Capt. Vnderhill & Capt. Patricke for halfe a yeare.

St. Morris, ensign to
Capl. Vnderhill.

S'ieant Morris is chosen Ancient to Capt. Vnderhill.

Thomas Wincall is ffined xx' for drunkennes.

A Court holden att Boston Aprill 1th 1633.

Present,
The Goũr
Deputy Goũr
Mr. Ludlowe
Capt. Endicott
Mr. Treasurer
Mr. Nowell
S: Bradstreete

Edw Conve
allow for
ferryin
officers.

There is xj' v^d allowed to Edward Converse for ferryeing Officers ouer the Water.

2.
Agawam
plants.

It is ordered that noe pson w'soeuer shall goe to plant or inhabitt att Agawam without leave from the Court except those that are already gone vz. : M^r. John Win-

throp Jun^r M^r. Clerke Robt Coles Thomas Howlett John Biggs John Gage, Thomas Hardy Willm Perkins M^r. Thornedicke, Willm S'ieant.

3.

The price of corne formly restrained to 6^s the bushell is nowe sett at liberty to be solde as men can agree.

59
Noddles Island grted
to M^r. Mauericke
on rent.

Noddles Ileland is graunted to M^r. Sam^l Maŵacke to enioy to him & his heires for euer, yeilding & payeing yearely att the genall Court to the Goũn' for the time being eith' a fatt weather a fatt hogg or xl' in money, & shall giue leave to Boston & Charles-Towne to fetch wood contynually as their neede requires from the Southerne pte of the s^d Ileland.

[97]

60
50 acrs to M^r.
Blackston.

It is agreed that M^r. [William] Blackestone shall haue 50 a^c of ground sett out for him neere to his howse in Boston to inioy for euer.

Ezekiell Richardson is chosen constable of Charlton for this yeare nexte ensueing & till a newe be chosen.

It is ordered that if any swine shall in fishing time come within a quarter of a myle of the stage att Marble Harb^r that they shalbe forfected to the owners of the s^d stadg & soe for all other stadges within theis Lymitts.

It is ordered that Joyce Bradwicke shall giue vnto Alex: Becke the some of xx^s, for promiseing him marriage wthout her ffrends consent & nowe refuseing to pforme the same.

John Sayle being convicted of felloniously takeing away corne & fishe from dyvers psons the last yeare & this, as also clapboards *er* is censured by the Court after this man^r: That all his estate shalbe forfected out of w^{ch} double restitu^{ti}on shalbe made to those whome hee hath wronged shalbe whipt & bound as a serv^t with any that will retaine him for 3 yeares & after to be disposed of by the Court, as they shall thinke meete.

John Sayle is bound with M^r. Coxeshall for 3 yeares for w^{ch} hee is to giue him 4^l p an^d: his daughter is also bound wth him for 14 yeares. M^r. Coxeshall* is to haue a sowe wth her, & att the end of her time hee is to giue vnto her a cowe calfe.

[Page 98 is blank. Page 99 has the record of a General Court May 29, 1633.]

[100]

A Court holden att Boston June 11th 1633.

Present,
The Go^v^r
Deputy Go^v^r
Mr. Ludlowe
Mr. Trese
Mr. Nowell
Mr. Coddington
Mr. Winthrop
S: Bradstreete.

Dixon in bil-
boes.

Jⁿ Pemberton
sent.

It is ordered that Willm Dixon shalbe sett in the bilbowes for disordering himselfe with drinke.

It is likewise ordered that John Pemberton shalbe whipt bound to his good behav^r, & enioyned to make his appearance att the nexte Court for comitting fornicac^on with Eliz: Marson.

John Webb is sett at liberty from his maister Willm Parks.

There is leave graunted to Tho: Sellen to plant att Aggawam.

The 19th day of this moneth is appoynted to be kept as a day of publique thanksgiueing throughout the se^uall planta^{ti}ons, *er*.†

9. 5. 2. 5. - 9. 1. 5. / §

* "Coggeshall" in L. copy.

† In modern hand.

‡ See Winthrop I. 104.

§ These shorthand words, which are in the margin of the original record, may be conjecturally rendered as follows:—

Gi[ve] out call soon. G[ive] on[e] to [].

[101]

A Court holden att Boston, July 2 1633.

Present,
The Goũn^r
Deputy Goũn^r
Mr. Ludlowe
Mr. Endicott
Mr. Tres^r
Mr. Nowell
Mr. Coddington
Mr. Winthrop
S: Bradstreete.

Mr. Endicott being chosen an Assistant att the
Geũdall Court did nowe take an oath to his place
belonging.

64

Mr. Ludlowe Mr. Tres^r & Mr. Nowell
are chosen as cõmittees to take an accompt
of the debts due to the Goũn^r & to certifie the same
att the nexte Court that they may be discharged.

It is ordered that there shallbe Clⁱ ¶150[¶] giuen
to the Goũn^r for† this present yeare towards his pub-
lique charges & extraordinary expences.‡

[Rat: 150[¶].]
Gov^r. salary.*

Rob^t Allen find.

Rob^te Allen is ffinēd v^r for absenting himselfe
from Court being sũmōned to be there as a wit-
nes c^r.

James White fined.

James White is ffinēd xxx^r for drunkenes by him
comitted att Marblehead on the Sabbath day.

Jn^s Bennet find.

John Bennett is ffinēd x^r for being drunke att
Marblehead.

65

Non to sell wine,
&c. wth licenc.

It is ordered that noe pson shall sell either wine
or stronge water without leave from the Goũn^r or
Deputy Goũn^r. this order to take place a fortnight

hence & after the Constable of the same plantaçon hath published the
same, & that noe man shall sell, or (being in a course of tradeing) giue
any stronge water to any Indean.

66

Fen: to pay damage
in case.

(13)

It is ordered that if any corne fence shalbe by
the inhabitants of the Towne iudged insufficient, &
the owner thereof forbear mending of it more then
2 dayes after warneing giuen, the Inhabitants shall
mend the said fence, & the corne of the owner of the
said fence shalbe liable to pay the charges of the
mending thereof.

Alex^r Wignalls
goods to be in-
ventoried.

Mr. Woolridge & Mr. Gibbons are appoynted to
Joyne wth Mr. Graues & Mr. Geneson§ to Inventory the
goods & chattells of Alex: Wignall.

67

Charle Towne
liberty.

It is ordered that the ground lyeing betwixte the
North Ryv^r & the creeke on the north side of Mr.
Maũacks & soe vpp into the Country shall belonge to

the inhabitants of Charlton.

* In modern hand.

† See Winthrop I. 105.

‡ "For" omitted in L. copy.

§ "Gennison" in L. copy.

Order is giuen to the Tres^r to deli^u to Leifeten^r
 Left Mason recom^d. Mason x^l for his voyage to the Eastward, when hee
 went about the takeing of Bull.

68 There is demised to Tho: Lambe of slate in slate
 Tho: Lambs Ileand 10 poole towards the water side & 5 poole into
 liberty. the land for 3 yeares payeing the yearely rent of ij^s vj^d

69 Administra^{con} is graunted to M^r. Mayhewe of the
 Ralf Glou^r good goods & chattells of M^r. Ralfe Glover diseased c^r.
 adm^d on.

It is ordered that it shalbe lawfull for any man to
 Swyne may be killed. kill any swine that comes into his corne, the p^{ty} that
 owes the swine is to haue them being kild. & allowe recompence for
 the damage they doe c^r.

[102] A Court holden att Boston August 6th 1633.

Present, M^r. John Woolridge is f^{ined} l^s for
 The Go^{vr} Woold find. distemping himselfe wth drinke aboard M^r.
 Deputy Go^{vr} Graues his shipp.
 M^r. Ludlowe
 M^r. Tres^r.
 M^r. Nowell
 M^r. Coddington 70
 M^r. Winthrop Cartbridg.
 S: Bradstreete.

It is agreed that there shalbe a suffi-
 cient cartbridge made in some convenient
 place ouer muddy riuer & another ouer
 Stony ryver, to be done att the charge of Boston &
 Rocksbury. M^r. Coddington M^r. Colbran & M^r. Samford are chosen
 to see it done for Boston, M. Tres^r Jehu Burr & John Johnson for
 Rocksbury.

It is further ordered that if any ram goate be found
 71 amongst Ewe goates betwixte the first of July & 10th
 Ram goats restrained of Novemb^r it shalbe lawfull for any man to sease on
 him before witnesses, & to convey him to some safe place till the
 said 10th of Novemb^r & then halfe of him is to goe to the publique
 & the other halfe to the p^{ty} that seases on him this order to take
 place on thursday nexte.

A Court holden att Boston Sep^r 3 1633.

Present, John Shotswell is f^{ined} x^l for dis-
 The Go^{vr} Shatswell temping himselfe with drinke att Aggawam.
 Deputy Go^{vr} find.
 M^r. Ludlowe
 M^r. Tres^r Rob^t Coles
 M^r. Nowell find for
 M^r. Coddington drunkenesse.
 M^r. Winthrop See p. 107.*
 S: Bradstreete.

Rob^te Coles is f^{ined} x^l: & enioyned to
 stand wth a white sheete of pap^r || on his
 back || wherein a drunkard shalbe written
 in greate lres, & to stand therewth soe longe

as the Court thinks meete, for abusing himselfe shamefully wth drinke intiseing John Shotswell, wife to incontinency & oth^r misdemean^r.

Walfords goods
sequestred, to
pay his debts.

It is ordered that the goods of Thomas Walford shalbe sequestred & remaine in the hands of The Anchient Gennison to satisfie the debts hee owes in the Bay to se^{ve}all psons.

72
Russells estat
adm^{ed}.

There is administra^{on} graunted to Willm Gallard & Willm Rockwell of the goods and chattels of John Russell of ~~Rocksbury~~ Dorchester whoe deceased August 26th 1633.

Desbres estat
adm^{ed}.

Administra^{on} graunted to M^r. John Moody of the goods & chattels of Thomas Desbre deceased, & soe to remaine in his hands to be accomptable for them.

Differenc. bet.
Dilling. &
Dexter referd.

Sept 3, 1633

[103]

Cap^t. Jn^s Stones
sent

By consent of John Dillingham Richard Wright & Thomas Dexter the differences betwixte them are referd to M^r. Endicott & M^r. Nowell, & power is graunted them by the Court to depose witnesses heare & determine the said differences.

Capt. John Stone for his outrage comitted in confronting authority abusing M^r. Ludlowe both in words and behaviour [assalting him &] calling him a iust as * ||e^r|| is ffined C^t & phibited comeing ~~into~~ within this Pattent wthout leaue from the Go^{vm}^t vnder the penalty of death.†

73
All hands
to Boston Fort
except, e^r.

Mr. Palmer.‡

It is ordered (according to a former order att the ge^{ne}all Court) that e^{ve}y hand (except magistrates & ministers) shall aford there helpe to the finishing of the ffort att Boston till it be ended.

Alex^r Wignall
find 10th for dru.
quarr. & contempt.

Rich: Arnold
estat adm^{ed}
on.

Mr. Jn^s Win-
throp, Jur, lib-
erty, e^r.

M^r. Palmer is ffined x^r for absenting himselfe being warnd to serue of a jury.

Alex: Wignall is ffined x^r for drunkenes quarrelling breach of an order of Court & contempt of aucthority.

Administra^{on} graunted to Willm Stitson of the goods & chattells of Richard Arnoll of Wenetsem^t deceased.

There is liberty graunted to M^r. John Winthrop Jun^r. & to his assignes to sett vpp a trucking howse, vpp merrymak ryver.

* "A just asse" in L. copy.

† See Winthrop I. 111.

‡ In modern hand.

Mr. Jⁿ Bar-
crofte ackn^d. M^r. John Barcrofte doeth acknowledge to owe
vnto o^r Souaigne [the] the King the some of xliⁿ & M^r.
Samⁿ Maⁿacke the some of xxⁱ 9^r. The condicon of
this recognizance is that Jane Barcrofte wife of the said John shall
be of good behav^r. towards all p^{er}sons.

A Court holden att Boston Octob^r. 1th 1633.

The Go^vn^r
Deputy Go^vn^r
Mr. Ludlowe
Mr. Tres^r
Mr. Nowell
Mr. Coddington
S^r. Bradstreete.
Mr. Perkins &
Tho: Dexter
fined.
It is ordered that S^rieant Perkins shall
carry 40 turf[es] to the ffort as a pun-
ishm^t for drunkenes by him comitted.
also it is ordered that Thomas Dexter shalbe
ffined xx^r for the like offence.

74
Absent from trayng.
It is ordered that if any trained sold[ier] shalbe
absent from traineing, vpon their traineing dayes
haueing lawfull warneing, shall forfeit v^r & that it
shalbe lawfull for one of the S^rieants appoynted by the Capt. of the
company to levy: vnles wthin 2 dayes after it be demaunded || vnles ||
the p^rty offending bring a certificate from the nexte Assistant that hee
had a necessary occa^{on} to be absent.

October 3, 1633.
Workmen wages
limited
It is ordered that maister Carpenters, Sawers,
masons clapboard-ryvers bricklayers, tylars, joyners
whelewright[ts] mowers 9^r shall not take aboue 2^r a
day findeing themselues dyett, & not aboue 14^d a day
if they haue dyett found them, vnder the penalty of v^r both to giuer
& recea^u for e^ury day that there is more giuen & receaved also that
all other inferior workemen of the said occupa^{on}s shall haue such
wages as the Constable of the said place & 2 other inhabitants that
hee shall chuse shall appoynt.

[104]
October 1th, 1633.
also it is agreed that the best sorte of labourers
shall not take aboue 18^d a day if they ~~haue~~ dyett
~~found~~ themselues & not aboue 8^d a day if they haue
dyett found them vnder the aforesaid penalty both to giuer & receaver.

likewise that the wages of inferior labou^r shalbe referd to the
Constable & 2 other as aforesaid.

m^r. Taylours shall not take aboue 12^d a day & the inferior sorte
not aboue 8^d if they be dyeted vnder the aforesaid penalty & for all
oth^r worke they doe att home op^{er}sonably & soe for other worke that
shalbe done by the greate by any other artificer.

75 further it is ordered that all workemen shall worke the whole day alloweing convenient tyme for foode & rest this order to take place the 12th of this p'sent moneth.*

76

(14)
Idleness to be
punisht.

It is further ordered that noe pson howse houlder or oth^r, shall spend his time idely or vngoffitably vnder paine of such punishment as the Court shall thinke meete to inflicte & for this end it is ordered that the Constable of eūy place shall vse spetiall care & diligence to take knowledge of offenders in this kinde, espetially of comon coasters vngfittable fowlers & tobacco takers & to p'sent the same to the 2 nexte assistants, whoe shall haue power to heare & determine the cause, or if the matter be of importance to transferr it to the Court.

In regard of the many & extraordinary mercyes day of Thanksgiving. w^{ch} the Lord hath beene pleased to vouchsafe of late to this Plantacon vz. a plentiful harvest, Ships safely arriued wth psons of spetiall vse & quallity e^r it is ordered that wednesday the

77

16th day of this present moneth shalbe kept as a day of publike thanksgiueing through the seūall plantacons.† And whereas it is found by comon experience that the keepeing of Lectures att the ordinary howres nowe obserued in the fore-noone to be dyvers wayes p'iudiciall to the comon good, both in the losse of a whole day & bringing oth^r charges & troubles to the place where the Lecture is kept.

78

Times for lectures.

It is therefore ordered that hereafter all ¶noe¶ Lecture shall begin before one a clocke in the after-noone.

It is ordered that there shalbe 400[†] collected out of the seūall plantacons to defray publike charges vz. —

Boston . . .	48 ^l 00 ^s 00 ^d	Saugus . . .	36 ^l 00 ^s 00 ^d
Rocksbury . .	48 00 00	Salem . . .	28 00 00
Newe-Towne .	48 00 00	Wenetsem ^t . .	08 00 00
Waterton . .	48 00 00	Meadford . .	12 00 00
Charlton . . .	48 00 00	Aggawam . .	08 00 00
Dorchester . .	80 00 00		
Sum tot 412 ^l 00 00.			

* See Winthrop I. 116.

† "Plantations &c." in L. copy.

‡ So in the original.

[105] A Court holden att Boston Novemb^r 5th 1633

Present
The Court
Mr. Ludlowe
Mr. Nowell
Mr. Treasurer
Mr. Coddington
S. Bradstreete.

80

2.
Secret to name &
summe juries 14 days,
e^r

Price of corne 6^s p
bush.

Ord^r ab^s swyne.

1. It is ordered that when all the planta-
cons in the bay hath done 2 dayes worke
a peece att the ffort, there shall order goe forth to
Salem Aggawam & Saugus to send in their money for
3 dayes worke towards it for e^uy man except magis-
trates & minister.

It is ordered that goes shall be directed by the
Secretary to the Beadle, for the warneing of 24 Jurors
14 dayes before the Court to be named by the Secri-
tary.

It is likewise ordered that corne of the Country
shall passe att 6^s the bushell till the nexte Court.

Further it is agreed that noe man shall giue his
swine any corne, but such as being vewed by 2 or 3
neighbors shalbe iudged vnfit for mans meate.

also that e^uy plantacon shall agree howe many swine e^uy pson
may keepe winter & summer aboute the plantacon this order to take
place 10 dayes hence.

81

Mr. Rich: Browne
allowed to keep a
ferry.

M^r. Rich: Browne is allowed by the Court to
keepe a fferry ouer Charles Ryver against his howse,
& is to haue 2^d for e^uy single pson hee soe transports
& j^d a peece if there be 2 or more.

Ensigne Morris dis-
charged.

Ensigne Morris is discharged of his place of
Ensigne & M^r. Thomas Mooteham chosen in his
roome.

S^rieant Morris [Stoughton] is chosen Ensigne to Capt Mason.

It is ordered that James Pen the Beadle shall haue allowed him
by the Tresurer the some of 30^l to builde a howse, w^{ch} is to be for his
vse while hee remaines in the place of Beadle, & after
to be disposed of as the Court shall thinke meete.

82

[106] ~~Att a Meeting of Assistants & some of the com[ilty] att
Boston January 17th 1633~~

Present
The Court,
Deputy Court,
Mr. Ludlowe
Mr. Treasurer
Mr. Nowell
Mr. Winthrop

Novemb^r. 8th 1633.

83
Comodities to be
sold, not exceeding
4^s per shilling profit.

Whereas by order of Court holden in Octob^r last the Wages of workemen were reduced to a certainty in regard of the greate extorcion vsed by dyvers psons of little conscience & the greate disorder w^{ch} grewe herevpon, by vaine and idle wast of much precious tyme, & expence of those imoderate gaynes in Wyne stronge water & other supfluities, nowe least the honest & conscionable workemen should be wronged or discouraged by excessiue prizes of those comodityes, w^{ch} are necessary for their Life & comfort: Wee have thought it very iust & equall, to sett order also therein. Wee doe therefore hereby order, that after publique notice hereof, noe psons shall sell to any of the Inhabitants within this Jurisdiction, any qvision, cloathing, Tooles, or other Comodities above the rate of ffoure pence in a shilling, more then the same cost or might be bought for ready money in England Vpon paine of forfecting the valewe of the thinge solde (Except Cheese w^{ch} in regard of the much hazard in bringing, & Wyne, Oyle, Vineger, & stronge Waters w^{ch} in regard of leakeing may be solde att such rates (qvided the same be moderate) as the buyer & seller can agree.)

And for Lynnen & other Comodities w^{ch} in regard of their close stowage, & small hazard, may be afforded att a Cheap rate, wee doe advise all men to be a rule to themselves, in keepinge a good Conscience assuring them that if any man shall exceede the bounds of moderacon wee shall punish them seuerely.*

[107] A Court holden att Boston March 4th 1634 1633.

Present,
The Goun^r.
Deputy Gou^r.
Mr. Ludlowe
Capt. Endicott
Mr. Treasurer
Mr. Nowell
Mr. Coddington
S: Bradstreete.

84
Swampe free. It is ordered that all the Swamps conteyneing aboue 100 a^c either belonging to any Towne or not shall lye in comon for any free inhabitant to fetch wood att seasonable tymes wthout p^ridice to the inhabitants where the same is, (that swampe onely excepted lyeing within the Newe-Towne pale towards the Bay.)

Mr. Dumer rat. It is ordered that M^r. Dumer shalbe rated viij^l to the publique stocke viz' v^l x for his estate in Rocksbury & l^r in Saugus the Tresury is to lose the rest that hee was rated in Saugus.

* See Winthrop I. 116.

Mr. Downings cattle
to be rated. The Court hath ordered that Mr. Dillingham
shalbe rated for the cattell hee is possessed of, of
Mr. Downeings.

Boston m^rket. It is ordered that there shalbe a markett kept att
Boston vpon e^wy thursday the fifth day of the weeke.*

Mr. Turner, capt. Mr. Nath: Turner is chosen capt. of the military
company att Saugus.

Sayles cens. It is ordered that John Sayles † shalbe seuerely
whipt for runing from his maister Mr. Coxhall.‡

Twitchells releas. It is ordered that v^l of the iudgem^t against Joseph
Twitchwell shalbe abated it appeareing to the Court
that Joseph Mannering hadd not paid the same as was formly conceaved.§

Mr. Morris, left. Mr. Rich: Morris is chosen Leifeten^l to Capt.
Vnderhill.

35 It is ordered that noe pson whatsoever shall buy
Land not to be any land of any Indean without leaue from the Court.
bought of Ind. Christopher Tarling is to be whipt for stealeing
without leaue. victualls from his m^r. & for runing away.

Tarlings cens. Mr. Willm Dennison is chosen Constable of Rocks-
bury.

Mr. W^m Dennison, constable. John Chapman is fⁱned xx^s for selling boards att 8^s p 10[0] con-
trary to an order of Court & is [remitted vpon p^rmise of 300 of 4 inch
planke towards the sea f^ort.]||

~~It is ordered that euy Assistant shall move all newe comers (w^h
haue not adventured in the comon stocke) that they thinke fⁱt to con-
tribute towards the Sea fort, & if they find any averse to desire the
helpe of the nexte Assistant, & yet if neede require to acquaint the
Court therewth.~~

Et: W^m fⁱnd. Rich Williams is fⁱned xl^s for drunkenes comitted
att Bowmans howse.

W^m Cooley fⁱnd. Willm Cooley is fⁱned 40^s for the like offence.

Tm^o Hawkins & Jn^o Vauhan fⁱnd. Tymothy Hawkins & John Vauhan fⁱned xx^s a
peece for mispending their tyme in company keepeing
strong drinkeing stronge water, & selling other
contrary to an order of Court.

* See Winthrop I. 125.

† "Sayle" in L. copy.

‡ "Coggeshall" in L. copy.

§ This entry is evidence that there was a record of the Court of Assistants in civil actions
distinct from the record in criminal cases and in matters of an administrative nature.

|| The words in brackets are written in the original in the margin.

Allowed to the witnes bound ouer to the Court to giue evidence against them v^t.

[108]

March 4th 1683
Edw^d How find.

Robt Coles dis-
franchis^d for drunk-
enes, & to weare
lett^r D.

Edward Howe is ffin^d xx^s for selling stronge water contrary to an order of Court.

It is ordered that Robt Coles for drunkenes by him comitted att Rocksbury shalbe disfranchized, weare about his necke & soe to hange vpon his outward garm^t a D: made of redd cloath & sett vpon white, to contynue this for a yeaer & not to leave it of att any tyme when hee comes amongst company, vnder the penalty of xl^s for the first offence & v^t the second, & after to be punished by the Court, as they thinke meete, also hee is to weare the D outwards, & is enioyned to appeare att the nexte geⁿall Court & to contynue there till the Court be ended.*

Josiah † Harris put
apprentice to Fraⁿ
Weston.

Josuah Harris is bound as an apprentice with Frauncis Weston for 5 yeaes from this day his said maister findeing him meate drinke & cloathes.

Bounds between
Boston & Roxbury. ‡

Ensigne Stoughton Tho: Ford & Willm Felpes & Willm Galard are appoyneted to sett out the bounds betwixte Boston & Rocksbury w^{ch} is nowe in difference betwixte them.

86
Mistick Wajre to
Mr. Winthrop & Mr.
Craddock.

The Ware att Misticke is graunted to John Winthrop Esq^r p^{re}s^{en}t Go^urn^r & to M^r. Mathewe Craddocke of London merch^t to enioy to them & their heires for euer

87

Vpon considera^{ti}on of the vsefullness of a moving ffort to be builte 40 ffoote wide longe & 21 ffoote wide, for defence of this Colony & vpon the ffree offer of some gentle^mn lately come ouer to vs of some large somes of money to be employed that way, it is thought fitt that this matter shalbe moued to such men of ability as haue not borne their p^{te} in the greate charges of the ffounda^{ti}on of this Colony & for this end it is desired that e^ury Assistant shall vndertake the busines for treateing with such as are within the Townes where they dwell & if they see fitt they may desire some other of the Assistants to ioyn^e wth them.

There is xⁱ qmised M^r. Stenens for his care & expedi^{ti}on in this worke to be pd when the worke is finished.

* See Winthrop I. 125.

† So in the original.

‡ In modern hand.

[109]

Gyven & promised towards the Sea Fort

March 4 1633.

Mr. Haynes l¹
 Capt. Turner x¹
 Mr. Coxeall v¹
 Rich: Wright 4 inch plancke . 400
 John Chapm 4 inch plancke . 300
 Mr. Aspinwall l¹
 John Johnson xx¹
 Mr. Nowell iij¹
 Frauncis Johnson xl¹
 Josuah Hewes xx¹
 James Peñ xx¹

Aprill 1th 1634.

Mr. Willm Dennison xl¹
 Mr. Harding iij¹
 Mr. George Alcocke xl¹
 Mr. Israell Stoughton to be pd
 within 9 or 10 monthes . xx¹
 Mr. John Coggin * v¹
 Tho: Reade xx¹
 Mr. Parker of Rocksbury . . . l¹
 Mr. Dumer xxx¹
 Phillip Tabor, 4 inch plancke . 200
 Garrett Church, 4 inch plancke, 200
 Mr. John Wilson iij¹

144¹ & 1100 4 inch pl.

[Page 110 is blank.]

[111]

A Court holden att Boston Aprill 1th [1634.]

[Present]

The Go^{vr}
 Deputy Go^{vr}
 Mr. Ludlowe
 Mr. Endicott
 Mr. Treasurer
 Mr. Nowell
 Mr. Coddington
 Mr. Winthrop
 S: Bradstreete.

ss

Sam: Dud.

Dan: Dan.

There is a thousand acres of land &
 greate p[ond] † graunted to John Haynes
 Esq^r ffyve hundred a^c graunted to Thomas
 Dudley Esq^r Deputy Go^{vr} [three] hundred to Mr.
 Sam^{ll} Dudley & two hundred acres [Mr.] Daniell
 Dennison all lyeing & being aboue the ffalls [on the]
 Easterly side of Charles Ryver to enioy to them &
 [their] heires for euer.

* "Cogan" in L. copy.

† These places on pages 111 and 112, which are worn off and illegible in the original record, are filled out from the Lechford copy.

89
200 acre to Mr.
Nowell.

There is Two hundred acres of land graunted to Mr. I[ncrease] Nowell lyeing & being on the westside of the North Ryv otherwise called the three myle brooke.

90
Mr. Oldams graunt.

There is ffyve hundred acres of land graunted to Mr. Jo[hn] Oldham, lyeing neare mount ffeakes on the north-wes[t side] of Charles Ryver.

91
Imprvement of
farmes.

{ It is ordered that if any man that hath any greate quan[tity] of land graunted him & doeth not builde vpon it or imp[ro]ve within Three yeares it shalbe ffree for the Court to disp[ose] of it to whom they please.

92
Mr. John Wilsons
grant of his farme
of 200 acres.

There is Two hundred acres of land graunted to Mr. Jo[hn] Wilson pastor of the church of Boston lyeing nexte [the] land graunted to Mr. Nowell on the south & nexte Meadf[ord] on the north.

Jn^e Lee cens.

& hard-hearted

It is ordered that John Lee shalbe ~~ffined~~ whipt & ffin^ded for calling Mr. Ludlowe false-hearted knave & knave heavy ffriend c^r.

Tho: Fox sent.

Thomas Foxe is ffin^ded x^s for want of appearance being sum^t to giue evidence against John Lee.

Ro: Moulton const:
Charls.

Robte Moulton is chosen Constable of Charlton & sworne.

93
Mr. Stoughtons
liberty to build a
weare.
the thousand.

Mr. Israell Stoughton hath liberty graunted him to builde a Myll a Ware & a Bridge ouer Naponsett Ryver & is to sell the Alewyves hee takes there att 5^s

94 (16)
Runaways to be
sent home.

{ It is ordered that if any boy (that hath bene whipt for runing frō his maister) be taken in any other plantaçon, not haueing a note from his maister to testifie his business there, it sh[albe] lawfull for the Constable of the said plantaçon to whip him a[nd] send him home.

Mr. Jn^e Tilley
estat admstred on.

There is power graunted to Mr. Ludlowe & Mr. Coggin * to inventory & take into safe keeping the goods & chattells of Mr. John Tilley to satisfie such debts as hee ownes † in y^e B[ay]

The price of corne is lefte at liberty to be solde as men can a[gree]

Mr. Chester bound
our.

Mr. Chester hath bound himselfe in xⁱ to appeare at the nexte [Court] to be holden in June to answer to such things as shalbe objected against him.

* "Cogan" in L. copy.

† "Owes" in L. copy.

Garrett Church & Phillip Tabor hath bound themselues [in] xl' a peece to appeare then to giue testimony agst M^r. Ch[ester] for selling comodities contrary to order.

⁹⁶
Ilands gnted
[to Boston.] Long Iland, Deere Iland & Hogg Iland graunted to Boston for [21 years] for the yearely rent of ij' * to be paid [to the Treasurer upon the] first day of the second [moneth commonly called April]

[112] It was further ordered that euy man of or
[*] 1634 above the age of Twenty yeares whoe hath bene or shall hereafter be resident within this Jurisdicōn by the space of Sixe monethes as an householder or ~~Soldier~~ [soiornor] and not infranchised shall take the Oath herevnder written before the Goūn' or Deputy Goūn' or some Two of the nexte Assistants, whoe shall haue power to convent him for that purpose, and vpon his refuseall, to binde him ouer to the nexte Court of Assistants: ~~where~~ [And] vpon his refuseall the second tyme hee shalbe banished, except the Court shall see cause to giue him further respit†

[96?]
(16)
[Real]dents oath.

The Oath.

I doe heare sweare and call god to witnes that being nowe an inhabitant within the Lymitts of this Jurisdicōn of the Massachusetts, I doe acknowledge myselfe lawfully subiect to the Auctoritie and gouern^t there established, And doe accordingly submitt my pson family and estate to be p^tected ordered, & gouerned by the Lawes & constitucōns thereof. And doe faithfully p^mise to be from time to time obedient and conformeable therevnto and to the Auctoritie of the Goūn', & all other the magistrates there, and their success's, and to all such lawes orders sentences & decrees as nowe are or hereafter shalbe lawfully made decreed & published by them or their success's. And I will alwayes indeav^r (as in duty I am bound) to advance the peace & wellfaire of this body pollitique, and I will (to my best power & meanes) seeke to devert & prevent whatsoever may tende to the ruine or damage thereof or of y^e Goūn' Deputy Goūn' or Assistants or any of them or their success^s, And will giue speedy notice to them or some of them of any sedi^con, violence treacherie or oth^r hurte or euill w^{ch} I shall knowe heare or vehemently suspect to be plotted or intended

* "Three pounds" in L. copy.

† See Winthrop L. 128.

against them or any of them, or against the said Comon-wealth or goum¹ established. Soe helpe mee God.

[113]

97

(17)

Assurance of
lands.

It was further ordered that the Constable & [foure] more of the cheife inhabitants of eūy Towne (to be chosen by all the ffree men there, att some meeteing there) with the advise of some one or more of the nexte Assistants shall make a surveyinge of the howses backside corne feildes moweing ground, & other lands impved or inclosed or graunted by speciall order of y^e Court of eūery ffree inhabitant there, & shall enter the same in a booke (fairely written in words att lenght & not in ffigures) with the seūall bounds & quantities by the nearest estimaçon, & shall deliuer a transcript thereof into the Court within sixe monethes nowe nexte ensuing, & the same soe entered and recorded shalbe a sufficient assurance to eūy such ffree inhabitant his & theire heires and Assignes of such estate of inheritance or as they shall haue in any such Howses Lands or Franketenem's.

The like course shalbe taken for assurance of all Howses & Towne-Lotts of all such as shalbe hereaft^r Enfranchised, & eūy sale or graunt, of such Howses or Lotts as shalbe from time to time entered into y^e said booke by the said Constable & foure Inhabitants or their success^{rs}, (whoe shal be still supplied vpon death or removeall,) for which entry the purchaser shall pay sixe pence, & the like sūme for a Coppy thereof, Vnder the hands of the said surveyers or Three of them. See [s^t] 190.*

[The next two pages are marked 112^a and 113^a and contain lists of freemen 1634-5. Pages 114 to 118 contain the General Court record of May 14, 1634.]

[119]

A Court holden at Newe Towne June 3 1634.

Present
The Goūrn^r
Deputy Goūrn^r
Mr. Winthrop, Sen^r
Mr. Haynes
Mr. Treasurer
Mr. Pinchon
Mr. Nowell
Mr. Winthropet
S: Bradstreete.

Eltweed Pūmery sworne constable of Dorchester.

Whereas Thomas Lane late serv^t to John Burslyn, by the qvidence of god is fallen lame & impotent, & hath since remayned att Dorchest^r, where hee hath bene chargeable to that plantaçon, & like soe to contynue, it is therefore ordered that the Inhabitants of Wessa-

* This is a reference to the order of March 4, 1634-5, on page 139 of the original record, which is marked in the margin 190.

† "Jun^r" in L. copy.

guscus shall send to Dorchester for the said Thomas Lane, & shall pay for all the charges they haue beene att in keepeing him dureing his aboade att Dorchest'.

Mr. John Winthrop Jun^r being chosen an Assistant att the last geⁿall Court did nowe take an oath to his said place belonging in presence of the Court.

Rob^t Fibbins releas By consent of Willm Gallerd † admⁿstrat^r to John Russell & Rob^te Fibbin it is ordered that in consideration of some service p^{er}formed att Sea by the said Rob^te Fibbin & 3 monthes servis in Newe England, that the said Rob^te Fibbin shalbe sett free, & haue 1^l 13^s 5^d forgiuen him wth hee ought to his said maist^r John Russell./

Damag donne by y^e examine what hurt the swyne of Charlton hath done amongst the Indean barnes of Corne on the north side of misticke, & accordingly the inhabitants of Charlton p^{ro}miseth to giue them satisfac^on.

Ord^r ab^t Ralph Glouers estate Mr. Thomas Mayhewe being admⁿstrat^r of M^r. Ralfe Glouer, hath nowe exhibited an Inventory of the said estate into the Court, there is therefore day giuen till the first tuesday in August nexte for the Creditors of the said Ralfe Glouer to make their demaunds of such debts as are due to them, or els the said estate shalbe devided betwixte those that then comes in the other to be excluded.

[120] A Court of Assistants holden att Newe Towne July 1th 1634.

Present	Rob ^t Way to	It was ordered that Rob ^t e Way shall
The Go ^u nr	continue w th	remaine with Ensigne Gennison till hee
Deputy Go ^u nr	Ensign Gennison, &c.	make it appeare to the Court that hee hath
Mr. Winthrop		lawfully assigned him to some other, hee
Mr. Haynes		confessing hee was assigned to him by his maist ^r Way.
Mr. Endicott		
Mr. Treasurer	W ^m . Almy	Willm Almy is fyned x ^s for not ap-
Mr. Pinchon	fined.	peareing att the last Court being sumond
Mr. Nowell		& is inioyned to bring to the nexte Court an Inventory of the goods
S ^r Bradstreete		hee receaved of Edw: Johnson, duely prized by indifferent men.

It is ordered that the Tresurer shall pay vnto the Deputy Go^unr & some other the Inhabitants of Dorchester the some of Three pounds, being charges they haue bene att with Thomas Lane an impotent pson.

* "Gaylard" in L. copy.

Isack Allerton fined. It is ordered that M^r. Isaack Allerton shall pay the some of xlⁱ to M^r. Willm Dennison for charges of || in || suyte aboute a debte of an hundreth pound.

New Townes addition of accommodation by meadows. It is further ordered that the Inhabitants of Newe Towne shall inioy the meadowe on the north side of y^e pond (Except that w^{ch} John Chapmⁿ hath already mowen) & after to be decided by the geⁿall Court to whome it shall belonge.

Differences betwene Jⁿ Tylley, M^r. Marri- ner, & Jⁿ Coggan referd to a co^mitt. By consent of M^r. Marryner his company & John Tylley the difference betwixte them is referred to John Winthrop Sen^r. Esq^r. M^r. Willm Peirce M^r. Thomas Beecher & M^r. Staggs, also the difference betwixte M^r. John Coggin * & John Tylley for money payde by M^r. Coggin * to the shippes company, by their consent is referd to the p^rties before mentioned as likewise the difference betwixte John Tylley & Henry Cogan is referd to the p^rties aforesaid —in this reference there is a bill of 33ⁱ of Jo. Tylley agst. excepted.

[121] A Court holden att Newe Towne August 5th 1634.

Present, The Go^vrn^r Deputy Go^vrn^r Mr. Winthrop, Sen^r. Mr. Haynes Mr. Humfry Mr. Endicott Mr. Treasurer Mr. Coddington Mr. Pinchon Mr. Nowell S: Bradstreete. It was ordered that Wednesday the 20th of this moneth shalbe kept as a day of publike Day Thanks. thanksgiueing throughout the seⁿall plan- tacons for the safe arriueall of shippes and passen- gers this su^mer c^r.†

It is ordered that Aggawam shalbe called Ipswich.†

It was witnessed vpon oath that James Rawlens tooke xvij^d aday & meate and drinke for 10 dayes worke, for one of his serv^{ts} for weedeing corne, contrary to an order of Court & therefore is to pay 5^s for e^vry day hee hath soe transgressed.

Jⁿ Humfry, Esq^r sworne. John Humfry Esq^r being chosen an Assistant att the last geⁿall Court did nowe take an oath to his place belonging in presence of the Court.

Rich^d Cornish. Rich Cornishe hath bound himselfe in xⁱ for his wyves psonall appearance att the Court ‡ in Octob^r [next] to answer to such things as shalbe obiected against her.

* "Cogan" in L. copy.

† See Winthrop I. 137.

‡ "To be holden" in L. copy.

Frā Godson find.

Frauncis Godson hath bound himselfe in xⁱ for his psonall appearance att the Court to be holden in Octob^r nexte to answer for breach of an order of Court ~~for~~ in taking to greate wages c^r.

Sam^{ll} Hosier chosen & sworne Constable of
Sam: Hosier, constā. Waterton.

Kathe: Gray to be
whip^d, c^r:

It was ordered that Katherine Gray shalbe whipt for her filthy & vnchast behav^r wth Thomas Elkyn.

Ri: Hitchcock bound
ouer to y^e Court.

Rich Hitchcocke hath bound himselfe in xxⁱ to make his psonall appearance att the Court to be holden the first tuesday in Octob^r nexte to answer to such things as shalbe obiected against him.

Widdō Bosworth^s
prouisionⁱ.

It was ordered that such moneyes as shalbe layde out for the mainetenance of Widd: Bosworth & her famly shalbe payde againe by the Treasurer.

Rob^t Way to abide
wth Edw^d Burton.

Whereas it was made knowen to the Court that Robte Way was lawfully assigned by Ensigne Gennison to Edward Burton it was therefore ordered that the said Burton shall keepe the said Way according to covenant.

Mr. Aspinwalls oath
to be taken, c^r.

John Humfry Esq^r. & M^r. Increase Nowell was desyred by the Court to take depositions of the witnesses of M^r. Aspinwall in a case betwixte S^r Willm Brewerton * Ba[r^t] & the said M^r. Aspinwall.

[Pages 122 to 131 contain the General Court record for Sept., 1634. Page 132 is blank.]

[133] Att a Court, holden at Newe Towne, Octob^r 6th, 1634.

Psent
The Go^{vt}
Deputy Go^{vt}
Mr. Winthrop
Mr. Haynes
Mr. Endicott
Mr. Pinchon
Mr. Nowell
Mr. Winthrop Jur
Mr. Bradstreete.

Ensigne Jennison.

It is ordered that Ensigne Jennison shalbe ffyned the some of xxⁱ for vpbrayding the Court with Iniustice, vttering theis words I pray god deliuer mee from this Court professing hee had wayted from Court to Court & could not haue iustice done him — c^r.

Mr. Craford's
goods invento.

It is ordered that Leiueten^t Feakes,† M^r. Rich: Browne M^r. Pendleton & Epharim Childe shall take an Inventory of the goods & chattells of M^r. Craford lately disceased & returne the same into the nexte Court.

* "Brereton" in L. copy.

† "Feko" in L. copy.

It is ordered that M^r. Hull, Willm Galled *
 Damage in Tho^s Eltweed Pūmery M^r. Willm Hill & M^r. Willm
 Richards corne. Haythorne shall haue power to heare & determine
 the seūall trespasses that hath bene done, by the swine of seūall
 psons, in the corne of Thomas Richards, as also for the charge
 hee hath bene att in keepeing his corne & for other charges incident
 therevnto.

Clement Brigg^s find Clem^t Briggs is ffined x^s for intertaineing an
 for entg^e Indean. Indean without leaue & is enioyned forthwith to dis-
 charge himselfe of him.

Kir[k]mans daſſig. John Kirman tooke oath hee was suſmond by
 Rich: Kent to appeare this day att the Court to
 answer him in an acōn of trespasse & nowe psecutes not, soe the
 Court hath giuen him x^s damage.

Jn^s Lees cens. for It is ordered that John Lee shalbe whipt & ffined
 reproaching y^e xl† for speakeing repchfully of the Goūn^r sayeing hee
 Gourn^r. was but a Lawer's clerke, & what vnderstanding
 hadd hee more then himselfe, also taxeing the Court for makeing lawes
 to picke mens purses, as also for abuseing a mayde of the Goūn^rs pre-
 tending love in the way of marriage, when himselfe professes hee
 intended none, as also for intiseing her to goe with him into the corne-
 feild e^r.

Sam: Hall find for Samⁿ Hall is ffined v^s for drunkenes by him
 drunk. comitted a shipboard himselfe freely confessing his
 offence.

Rl: Lamberts bond Rich: Lambert hath forfected his bond of x^l w^{ch}
 forfected. bound him to appeare att this Court. And it is
 ordered that Benjamin Gilham & Robt Walker
 shall haue v^s apeece allowed them, being witnesses suſmoned to
 appeare./

John Humfry, Esq^r. is deputed by the Court to take deposiōns of
 the witnesses to the will of Willm Payne lately disceased.

[134]

Agawams damag. Vpon a Complaynt of y^e Saggamore of Aggawam
 by Charls Towne for hurte done in his corne by the Swine of Charlton,
 swyn. it is ordered that M^r. Nowell shall heare his wit-
 nesses, & appoynt what satisfacōn hee shall haue,
 & whoe shall giue it, & to binde ouer to the Court those that refuse
 payem^t.

* "Gaylard" in L. copy.

† xx changed to xl.

Att a Court holden att Newe Towne Novemb^r 7th 1634.

Present
The Go^{vt}
Deputy Go^{vt}
Mr. Winthrop
Mr. Haynes
Mr. Treasurer
Mr. Pinchon
Mr. Nowell
Mr. Bradstreete.

Olliv^r goods
sequestred.

It is ordered that the goods and chattells of Christopher Olliver nowe in the custody of Roger Williams & Thomas Okam, or the proceede thereof, shalbe sequestred & remaine in the hands of M^r. Israell Stoughton, till the said Christopher Olyver shall satisfie such debts as are due from him to M^r. Israell Stoughton & John Hoskins, Sen^r./

Hen: Brights censure
for swearing.

It is ordered that Henry Bright shalbe set in y^e Bilbowes for swearing.

Ens: Rich: Dauent
port sent for, for
defacing his colours.

It is ordered that Ensigne Damford shalbe sent for by war^t with comaund to bring his col's with him to the nexte Court as also any other that hath defaced the said col's.*

W^m Knopp bound
ouer.

Willm Knopp is bound in xⁱ to appeare att the nexte Court & to abide the sensure of the Court for swearing./

Seuall, for age, dis-
misse from trayng.

readines att all
tymes sufficient Armes
for themselues besides
for their serv's.

M^r. John Beniamin, Willm Pan[t]ry & Henry Goldston are (by reason of their age & infirmities) dismissed from traineing onely they are to haue in

Xop^r: Grant find
for drunkenes 20.

Christ: Graunt is ffined xx^s for drunknes by him comitted./

P^r of Ju^s Lees fine
remitted him.

There is 30ⁱ of John Lee his ffines of xlⁱ remitted him./

[135] Att a Court holden att Newe Towne March 3 1634.†

Present,
The Go^{vt}
Deputy Go^{vt}
Mr. Winthrop
Mr. Haynes
Mr. Endicott
Mr. Tresur^r
Mr. Pinchon
Mr. Nowell
S: Bradstreete.

Const^b. find.

The constable of Dorchest^r is ffined xx^s for not retorneing his war^t for the last Levy into the Court.

The constable of Boston is ffined the some of xx^s for y^e like.

Lockwoods
writings.

It is ordered that Ruth Lockwood wid^d shall bring all the writeings that her husband lefte in her hands, to John Haynes

* See Winthrop I. 146.

† See Winthrop I. 160, for Meeting of Assistants Nov. 27, 1634. See also I. 164, for Meeting of Ministers Jan. 19, 1634-5.

Esq^r. & Simon Bradstreete on the third day of the nexte weeke, whoe shall detaine the same in their hands till the nexte Court, when they shalbe disposed of to those to whom they belonge.

Ed[ward] Hubbard,
constable.

Edmond Hubbert Sen^r. chosen constable of Charlton for this year nexte ensueing & till a newe be chosen.

M^{rs}. Ann Loomans
goods to be invent^d.

It is ordered that the goods & chattells of M^{rs}. Ann Looman shalbe Inventoryed by 3 or 4 of the ffreemen of Rocksbury & retourned into the Court in Aprill nexte. M. Pinchon is desired to appoynct the men that shall doe it.

Jⁿ Stanley estat
diuided & settled.

Whereas John Stanley dyed intestate in the Way to Newe England, & lefte three children vndisposed of, the yongest whereof is since disceased haveing also lefte an estate of cxvj^j in goods & chattells *et*. It is therefore ordered with the consent of Thomas Stanley brother to the said John disceased, that hee shall haue fforthwith the some of lvij^j of the s^d estate putt into his hands, in consideraçon whereof the said Thomas Stanley shall educate & bring vpp John Stanley sonne of John Stanley disceased, findeing him meate drinke & appell, till hee shall accomplishe the age of xxi yeares & att the end of the said tearme shall giue vnto the said John Stanley the some of ffifty pounds./

Also it is further ordered with the consent of Tymothy Stanley another brother of the afores^d John Stanley disceased that the other lvij^j of the aforesaid estate shalbe putt into the hands of the said Tymothy Stanley in consideraçon whereof the said Tymothy shall educate & bring vpp Rueth Stanley daughter of the afores^d John Stanley disceased findeing her meate drinke & appell, till shee shall attaine the age of one & twenty yeares, & att the end of the said tearme or att the day of her marriage with Tymothy Stanleyes consent, shall giue vnto the s^d Ruth Stanley the some of thirty pounds, provided if eyther of the said children shall dye before the expiraçon of the said tearmes, then the p^{ty} whoe kept the said Childe shall stand to the order of the Court for payeing soe much to the survyveing childe as the Court shall appoynct.

[136] It is ordered that Rich: Cokar shalbe whipt here this day, & on the fifth day of the nexte weeke att Boston, for intiseing se^dall psons, that were servants, to run away to the Dutch Plantaçon & to steale dyvⁿ things to carry with them./

March 3. 1634.

Rt: Cokars sent.
to be whipt.

Also it is ordered that Sam^l Johnson shalbe
 Sam: Johnsons sent. whipt for the like offence.

It is referd to John Humfry & John Endicott Esq^r. to heare &
 determine all matters of difference concerneing the estate of
 Willust disceased, w^{ch} is betwixte any that layes claime to any p^{te}
 thereof./

[On pages 137 to 145 is the record of the General Court 4 March, 1634-5.]

[146] Att a Court holden att Newe Towne April 7th 1635.

Present
 The Go^{vr}.
 Deputy Go^{vr}.
 Mr. Winthrop
 Mr. Haynes
 Mr. Tresur.
 Mr. Pinchon
 Mr. Nowell
 S: Bradstreete.

It is referd to John Haynes Esq^r. & M^r. Robte
 Feakes * to audit the accompts betwixte Edward Howe
 & Willm Knopp, to sweare witnesses, & examine them
 what they can say in the case, & to make returne
 thereof into the nexte Court.

Ensigne Jennisons ffine of xx^l is re-
 Ensigne Jennisons
 fine remitt. mitted him vpon his submission & ac-
 knowledgem^t of his offence.

Nahaton find 2
 skins bevar.

It is ordered that Nahanton shall giue two skins
 of beav^r to M^r. Blackestone, for damage done him in
 his swine by setting of trapps c^r.

Ab^l Plow Patent.

Further it is ordered that Cap^t. Traske shall pay
 to John Kirman, out of the estate of the Company of
 husbandm the some of ffoure & twenty pounds, eleven shillings & fyve
 pence being the remainder of the eight pte of the said estate, w^{ch} was
 by order of Court gyven the said John Kirman Provided if hereafter
 it shall appeare, that there is not soe much due to y^e said John out of
 the said 8th pte, that then hee shalbe accomptable for the same.

Lockwood estate.

It is referd to † the church of Waterton with
 the consent of Robte Lockwood execut^r of Edmond
 Lockwood disceased, to ‡ dispose of the children & estate of the said
 Edmond Lockwood (gyven to them) to such psons as they thinke
 meete, ~~as also to take an accompt~~ w^{ch} if they pforme not within
 foureteene dayes, it shalbe lawfull for the Go^{vr}. John Haynes Esq^r. &
 Simon Bradstreete to dispose of the said children & estate as in their
 discrecon, they shall thinke meete, as also to take an accompt of the
 said Robte Lockwood, & giue him a full discharge.

* ffake in L. copy.

† Ordered that in L. copy.

‡ May in L. copy.

Mountagnes censū: It is ordered that Griffin Mountague shalbe sett in the bilbowes, for stealeing boards & clapboards from M^r. Wilbore & is enioyned to remove his habitacon from Muddy Ryver before the nexte genall Court vnder the penalty of v^l.

Willm Swifte promiseth to gyve xx^s towards the cure of his late servant being infirme & lame.

It is referd * to M^r. Tresurer & M^r. Pinchon to examine & prepare the business betwixte M^r. Coxeall [&] Sayles his daughter & John Levens & to returne the same into the nexte Court.

Hewards sent. Ordered that John Heward † shalbe whipt for sweareing & stealeing.

226 The lyne betwixte Roxbury & Newe Towne ‡ is layde out to run south west from Muddy Ryver, neere that place w^{ch} is called M^r. Nowells bridge, a tree being marked on foure sydes & from the mouthe of the ryver to that place, the southe syde is for Roxbury & the north syde for Newe Towne ‡ by mee p Willm Jennison.

[147] Willm Colbran John Johnson & Abraham Palmer being apoynted by the genall Court to lay out the bounds betwixte Waterton & Newe Towne ‡ did make this returne into the Court.—

Bounds betwixt Water Towne & New Towne. It is agreed by vs whose names are here vnder-written, that the bounds betweene Waterton & Newe Towne shall stand as they are already from Charles Ryver to the greate freshe pond & from the tree marked by Waterton & Newe Towne on the south east syde of the po[n]d § ouer the pond to a white poplar tree [on the norwest syde of the pond, & from that tree] ¶ vpp into the Country norewest & by west, vpon a straight lyne by a merydian compasse, and further that Waterton shall have one hundreth rodde in lenght above the Weire, & one hundreth rodd beneath the weire in lenght, & threescore rodd in breadth from the Ryver on the southe syde thereof, & all the rest of the ground on that syde the River to lye to Newe Towne.

Willm Colbran
John Johnson
Abraham Palmer.

* It is ordered & referred in L. copy.
§ Pond in L. copy.

† Heyward in L. copy. ‡ Newton in L. copy.
¶ These eleven words omitted in the L. copy.

[On pages 146 to 152 is the record of the General Court for May, June and July, 1635. Page 153 contains lists of freemen 1635 and 1636.]

[154]

Att the Court holden in June 2 1635.

Present,
The Go^{vr}
Deputy Go^{vr}
Mr. Winthrop
Mr. Dudley
Mr. Pinchon
Mr. Nowell
Mr. Hough
Mr. Dumer
Mr. Bradstreete.
Forfect.

Rich^d Kings
goods ad^{mi}st^d
on by Rich:
Bishop.

Perkins bill. It was ordered that war^t shalbe sent to Norton to bring into the nexte Court a bill of v^t made by Goodm Perkins to Thomas Wade, y^t it may be safely kept till it appeare, to whome it is due, the money being gyven, (as the Court is informed) to Jonathan Wade his brother./

M^r Humfry is ffined x^s for his absence from y^e Court.

There is administra^{ti}on graunted to Richard Bishop (in the behalf of his wife) of the goods & chattells of Richard King disceased./

In the cause of the children & widdowe of Edward * Lockwood (the elders & other of the church of Waterton being p^rsent) & vpon considera^{ti}on of the order of court in Aprill last, made in the case,† w^{ch} was found not to have bene observed, because the estate was not computed & apportioned, It is nowe ordered with consent of all p^{ty}es, viz^t the Church of Waterton the widd^r: of the said Edmond lyveing, & the execut^r, haveing consented to the former order, that the present Go^{vr}n^t & the Secretary shall have power to call p^{ty}es, & witnesses, for findeing out the true estate, & haveing considera^{ti}on of the vncertainty of the will, & the debts, & other circumstances, to apportion the remainder of the estate to the wife, & children, according to their best discre^{ti}on, & then the Church of Waterton is to dispose of the elder children, & their p^rsons, as shalbe best for their Christian educa^{ti}on, & the preserva^{ti}on of their estate.

Com^{mi}ttee ab^t
shipp Thund^r.

It is ordered with the consent of John Cogan John Tylley Willm Hill Henry Wulcott, & Humfry Pynney that the arbitrators chosen by them, vz. M^r. Willm Haythorne, ‡ Will: Halford, Roger Williams, & Rich Collicott, shall have full power to make a ffinnall end of all differences, & acc^{ts}pts betwixte the said p^{ty}es, concerneing the shipp Thunder, w^{ch} the Court enioynes them to p^rforme before this day fortnight & to returne into the nexte p^{ti}cular Court, what they have done herein, & in the meane tyme all execu^{ti}ons concerneing the shipp Thunder to be re-

* So in the original.

† Cause in L. copy.

‡ Hathorne in L. copy.

speted. Also it is ordered that the arbitrators shall have power to examine witnesses vpon oathe./

[155] Att the Court holden att Newe Towne July the 7th 1635.

Present,
The Go^un^r
Deputy Go^un^r
Mr. Winthrop
Mr. Dudley
Mr. Treasurer
Mr. Pinchon
Mr. Hough
Mr. Nowell
Mr. Bradstreete
Mr. Dumer.

Steven Terry was sworne Constable of Dorchest^r for a yeare & till a newe be chosen./

Lands sold by Chickatabuto & M^r. Woolridge shall require the Indians Mr. Pinchon. that were present with Chickatabuto when hee solde certaine Land aboute Massachusetts to M^r. Pinchon, or knewe what it was, to sett out the se^uall bounds thereof, & to returne the same to the Go^un^r be-

fore the last day of this weeke M^r. Smyth & Goodman Wright are allowed to goe alonge with them./

In considera^on of money disbursed by M^r. Henry Seawall for the transporta^on of Edward Bosworth & his ffamyly, It is ordered that Jonathan Bosworth shall pay to M^r. Seawall the some of vⁱ vpon the 29th of Septemb^r. nexte, Willm Buckland vⁱ on the said 29th of Sept^r Nathanaell ||Bosworth|| vⁱ l^a att the said day & l^a more that day twelue moneth, & Beniamyn Bosworth xxx^a on the said 29th of Sept^r. & iijⁱ x^a att midsummer nexte, all theis somes to be paide to the said M^r. Seawall.

Also it is agreed that the forenamed pties shalbe bound one for another for the payment of the said somes att the se^uall dayes of payem^t.

Ordered that Frauncis Toby (for misdemean^r by Francis Toby him comitted) shalbe bound to his good behav^r, & shall putt in suretyes for the same, or els to remaine in holde./

John Love is ffined x^a for drunkenes.

[156] Att the Court holden att Newe Towne August 4th 1635.

Present,
The Go^un^r.
Deputy Go^un^r.
Mr. Winthrop
Mr. Dudley
Mr. Treasurer
Mr. Pinchon
Mr. Nowell
Mr. Hough
Mr. Dumer
Mr. Bradstreete.

Willm Gallerd * & Willm Rockwell executo^r of John Russell hath exhibited into Court an Inventory of the goods & chattells of the said John Russell diseased.

John Holland being att the Eastward Wannertons affirmeth that M^r. Thomas Wonnarton sent. threatned to sinke his boate if hee would not pay him a debt that Henry Way ought † him, &

* Gaylard in L. copy.

† Owed in L. copy.

called him roage & knave, & said they were all soe in the Bay, & that hee hoped to see all their throates cutt, & that hee could finde in his heart to begin with him, & therevpon stricke him vpon the head, and when the said Holland tould him, if Way ought him any money hee might recouer it by lawe, to w^{ch} Woñarton answered that they had noe lawe for them but to sterue * them. the like Bray Wilkinson & Robte

Ellwell witnesseth against Woñarton Wherevpon it was ordered, that the said Woñarton should putt in sufficient surtyties for his good behav' & in the meane tyme to remaine in durance./

There is adm̄straçon graunted Willm Stitson of the goods & chattells of Robte White disceased, & it is ordered that all his credit^m shall repaire to the Deputy & Tresurer, before the nexte Court, whoe shall haue power to examine witnesses &c. & such debts as they shall finde due they shall giue war^t to the said adm̄strat^r to pay, & those that are doubtfull shalbe transferd to the Court./

M^r. Hutchingson witnessed vpon oath that Arthur Holbidge tooke 2^s 6^d a day of him for 30 dayes worke, Richard Bulgar 6 dayes Thomas Munt 9 dayes, & James Hawkens 36 dayes, all att 2^s 6^d a day & soe haue all forfected v^r aday according to the order of Court./

M^r. Cogan witnessed vpon oath that James Hawkins tooke 2^s 6^d a day of him for 14 dayes.

There is x^r graunted to John Pyke, for his charges being brought from Ipsw^{ch} as a witnes against John Mustlewhite.

The Court hath enioyned Willm Wills to pay to Gyles Gibbs the so^me of xvj^s for ffellony by him comitted./

With the consent of M^r. Humfry M^r. Hough & Richard Wright, the difference aboute two heifers that Richard Wright kept is referd to M^r. Winthrop M^r. Dudley & M^r. Nowell, whoe hath power gyven them to examine witnesses vpon an oath & soe putt an end to the difference.

It was ordered that Arthur Holbidge shall putt in surtyte for his good behav' for contempt by him comitted, & in the meane tyme to be imprisoned./

Ordered that James Hawkins fforfects shall forthwth be levyed, &

* Starve in L. copy.

in case hee hath noe goods, his body shalbe taken & imprisoned till it be payde.*

[157]

John Russell's nuncupative will.

John Russell merchant disceased att Dorchest' August 26th 1633 & before his death being of a disposing vnderstanding, did make his last will, in the presence of M^r. John Warham Past^r of the church of Dorchest' Tho: Moore, John Moore, & Tho: Deway in the words followeing or to the same effect.

Halfe of my estate I giue to the church of Dorchest' & halfe to my brothers Henry Russell & Thomas Hyatt, except my mans tyme, w^{ch} I giue to my man, & hee desired that in the disposing of his goods to Dorchest', there should be espetiall respect hadd to olde Dorchest' people nameing Goodmⁿ Caping.

John Warham

This was testified vpon the oathes of the said witnesses taken in Court Sept ^r 3 1633	} The m ^r ke of I The m ^r ke of Tho: Deawyo O	Thomas Moore
		John Moore.

Att the Court holden att Newe Towne Septemb^r 1th 1635.†

Present
The Go^{vt}.
Deputy Go^{vt}.
Mr. Winthrop
Mr. Dudley
Mr. Treasurer
Mr. Hough
Mr. Nowell
Mr. Bradstreete
Mr. Duⁿier.

Stor[ey] sent.

Scarlett sent.

Forfeacts.

Dixon's bond

forfeitt.

It was ordered that Andrewe Storyn shalbe whipt for ruⁿing from his maist^r.

Ordered that Rob^te Scarlett shalbe whipt for ruⁿing from his maister.

Willm Dixon hath forfeacted his recognizance of xxⁱ; Edward Converse & James Browne xⁱ a peece being bound for Dixons appearance att the Court.

It was ordered that the goods and chattells of Willm Dixon shalbe attatched & kept safely to satisfie the Court for the fforfeact of his recognizance.

Ordered that Richard Bulgar Thomas Munt
how dischargd. James Hawkins & Arthur Holbidge shall pay iiij^s a peece weekly to the marshall towards the discharge of their fforfeacts.

It is ordered that Mary serv^t to M^r. Bartholmewe shalbe whipt for ruⁿing from her maist^r & shall serve him 6 weekes after her terme is ended.

* The last four words not in L. copy.

† See Winthrop I. 166, under date Sept. 1, 1635; " At this general court was the first grand jury."

There is admīstraçon graunted to M^r. Anthony Thacher of the goods & chattells of M^r. Joseph Avery disceased, w^{ch} hee is to Inventory & returne the same into the nexte Court, & the said goods are to remaine in his hands till further order be taken the[rein.]

[158] An Inventory of the Goods and Chattells of Joseph Avery, disceased.

Due to him from John Emery Carpenter 07^l 00^s 00^d

It: from Robt^e Andrewes of Ipswich }
w^{ch} he confesseth to be due & to be } 02 00 00
p^d forthwth }

It: from M^r. Willm Hilton 02 16 00

or a sowe & piggs to that valewe
testis Rich: Kent.

From Rich: Kent of Ipsw^{ch} ten bushells of Indean corne which hee acknowledgeth.

John Emery denyes his debt but Richard Knight Nicholas Holte & John Knight all three of Newberry can & will testifie & proue it to be due, onely hee was by condiçon to pay the said 7^l in his worke, w^{ch} hee was to doe so [soone] as M^r. Auery did call vpon him for it, out of w^{ch} said 7^l there is something paide in lab^r already as hee can make to appeare.

¶ me Antho[ny] Thatcher.

Att the Court Novemb^r 3 1635.*

Present
The Go^{vr}.
Deputy Go^{vr}.
Mr. Winthrop, Sen^r.
Mr. Dudley
Mr. Humfry
Mr. Treasurer
Mr. Pinchon
Mr. Hough
Mr. Dumer
S: Bradstreete
Mr. Nowell.

It was ordered that the Deputy Go^{vrn} & M^r. Winthrop Sen^r. shall have power to examine all witnesses vpon oath concerneing an acçon of the case brought by M^r. Hough against M^r. Ma^udacke.

Whereas Thomas Coleman hath contracted with S^r. Richard Saltonstall & dyvers other gentle^m in England, & here

for the keepinge of certaine horses bulls & sheepe in a geⁿall stocke for the space of three yeares, & nowe since his comeing hither hath bene exceedinge negligent in discharginge the trust co^mmitted to him, absenting himselfe

* See Winthrop I. 173, John Pratt "questioned" at this Court. For his answer and the action of the Court thereupon see below at the end of Part I. — For a court Oct. 6, 1635, see below.

for a longe tyme from the said cattell, as also neelecting to provide howseing for them by reason whereof many of the said cattell are dead already & more damage like dayly to accrue to the said gentle^m. It is therefore ordered that it shalbe lawfull for the said gentle^m to devide the oates & hay provided for the said cattell amongst themselves, & see euery one to take care of their owne cattell for this winter.

Ordered that John Pease shalbe whipt & bound to his good behav^r for strikeing his mother M^r. Weston, & derydeing of her & for dyvers other misdemean^r & other evill carriages.

There is x^s damages graunted Robte Coles, to be paid by M^r. ffawne, whoe summoned him to appe att this Court & psecutes not against him.

Ordered that John Cole shalbe whipt for stealeing a sheete and a pre of shoes.

Ordered that Nich: ffrost shalbe imprisoned till the nexte Court when a tryeall is to passe vpon him for comeing into this Jurisdic^t being formly banished.

There is admstra^con graunted to Isabell Sackett of the goods & chattells of her husband lately disceased./

[It] was lefte in trust wth him [by a] friend, to sell for him.* { Samⁿ Cole hath forfected xx^s for selling 2 quarts of beare at ij^d a quart.
M^r. Nowell is ffined iij^s iiij^d for selling wyne./

[On pages 159 to 164 is the record of the General Court for September, 1635, and also a record as to the bounds of certain towns.]

[165] Att the Court holden att Newe Towne Octob^r 6th 1635.

Present	
The Go ^v nr.	Servants runn ^g
Deputy Go ^v nr.	away.
Mr. Winthrop	
Mr. Dudley	It was ordered that Clem ^t Cole Peter
Mr. Treasurer	[P]yford Simon Bird, Will ^m Barker,†
Mr. Pinehon	Will ^m Downes, & George Wilby shalbe
Mr. Hough	whipt for runing from their maisters, & for stealeing a
Mr. Nowell	boate & dyv's others things with them, as also shall
S: Bradstreete.	giue satisfac ^o n to the Country for their charges in
	sending to fetch them home, & likewise shall serve
	their said maisters twice soe longe att the end of their

* This marginal entry was written by John Winthrop Sen^r. and refers probably to Mr. Nowell's "wine." See marginal note in shorthand under the date March 1, 1635 (page 61).

† Baker in L. copy.

tyme, as they have bene absent from their masters service, by reason of their runing away & for Cole & Byford * the Court will consider of some further punishm^t for them./

Ordered that Danⁿ White shalbe seuerely whipt & ffyned v^l for stealeing a golde ring & a hankerchiue, out of w^{ch} ffine satisfacōn shalbe made to those that have bene att charges in keepinge him after hee was apprehended./

R.

A theife punished.

Whereas Beniamyn Felton hath brought into this Country one Robte Scarlett a knowen theife, whose since his comeing hither hath comitted dyvers felonies &c as appeareth by his examinaōn,

It is therefore ordered that the said Scarlett shalbe seuerely whipt & branded in the forehead with a T & after sent to his said maister whome the Court enioynes to send the said Scarlett out of this Jurisdiction, & in the meane tyme to be lyeable to satisfie for such damages, as his said serv^t shall doe to any pson, & also shall pay x^s to M^r. Stileman the Constable for his charges in keepinge him & bringing of him to the Court./

Forfect.

It was ordered that Richard Longest shalbe ffined v^l for contempt of auctoritie, & for ryveing dyv^m good trees into clapboards, and selling of them from Waymothe Towne, the w^{ch} trees hee was appoynted to fell for shingles for the ffort att Castle Ileland & that the said money shalbe gyven to the Towne of Waymothe towards the makeing of a bridge there./

Mr. Seawall injoynd
to provide for M^r.
Seawalls prouision.

With the consent & att the desire of Henry Seawall & Ellen his wife the Court hath ordered that his saide wife shalbe att her owne disposeall, for the place of her habitaōn & that her saide husband shall allowe her, her weareing appell & xx^s p anⁿ to be paide quarterly, as also a bedd with furniture to it.

Joshua Hues.

Josuah Huyest hath fforfect v^s for knyves & iiij^s vj^d for 2^d sythe w^{ch} hee solde for above iiij^d in the shilling qffitt.

Forfects.

Edward Gyles was ffined xl^s for knoweing his wife carnally before marriage.
John Galley was ffined xx^s for the like offence.

* Pyford in L. copy.

† Or Lounge. Long in L. copy.

‡ Hughes in L. copy.

[166] Att the Court holden att Newe Towne March 1th 1635.*

Present
The Go^{vr}.
Deputy Go^{vr}.
Mr. Winthrop
Mr. Dudley
Mr. Treas^r
Mr. Pinchon
Mr. Nowell
Mr. Hough
Mr. Dummer
S: Bradstreete.

Rob^t Way ser-
vant to W^m
Hosier, & to
pay e^r

It was ordered that all the bills & writeings aboute one Rob^t Way shalbe deli^ued into the Court, & that Ensigne Jennison Edward Burton & Sam^l Hosier shall pay xx^s apeece to Will^m Almy, as also that the said Rob^t Way shalbe taken from Mr. Stoughton where nowe hee is, & putt to the said Will^m Almy, & him shall serve till hee hath satisfied the some of iij^l w^{ch} if hee doe, hee shall pay xx^s thereof backe againe to Sam^l Hosier.

W^m. Almy's satis-
faction from James
Luddam.

Whereas in a suite betwixte David Johnson & Will^m Almy concerneing one James Ludam sometimes serv^t to either of them there was a iudgem^t of v^l graunted to Will^m Almy against David Johnson, but upon some considera^{ti}on execu^{ti}on was respited, & nowe by consent of all p^{ty}es, it was agreed that the said v^l shalbe borne equally betwixte them, that is to say that the widd^e Johnson shall pay fyve nobles & James Ludam the some of fyve nobles to the said Will^m Almy & hee to loose the rest.

Fine.
Rich: Phelp find 40^s
for drunkenes.

Anth^o Coop^s bond
forfeited.

Difference between
Mr. Dumer & Mr.
Burr refe^d.

Sev^l bonds forfeited,
as H: Jocely, J^{no}
Pick[ring], & Nick.
Frost.

Griffⁿ Mountagu
forfited his bond, 20.

James Luddam find
40^s for being drunk.

Richard Phelpes was ffyned xl^s for drunkenes.

Anthony Coop fforfeacted his recognizance of xl^s for nonappance.

The difference betwixte Mr. Dumer & Jehu Burr aboute Mr. Dumers swine spoyleing his corne, is by their consent referd to the ffinal determina^{ti}on of Will^m Parke good^m Potter & good^m Porter.

Henry Joslyn gen^t. John Pickrin & Nicholas Frost all of Paskataq have forfeacted their recognizance of C^l for not apping att this Court.

Griffⁿ Montague fforfeacted his recognizance of xx^s for nonappance.

James Ludam was ffined [xl^s] for drunkenes & it is ordered that Knight the witnes, shalbe p^d out of it./

164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200

[Pages 167 to 174 contain the record of a General Court 3 March 1635-6. Page 174 has also the following record.]

* See Winthrop I. 175-7, for meetings of the Magistrates Jan., 1635-6.

† Shorthand conjecturally rendered:—"Tell the Court about Mr. [Now]ell." See marginal note under the date Nov. 3, 1635 (page 59).

Att the Court holden att Newe Towne April 5th 1636.

Present,
The Go^{vr}.
Deputie Go^{vr}.
Mr. Winthrop, Senr.
Mr. Dudley
Mr. Tresur.
Mr. Pinchon
Mr. Nowell
Mr. Houghe
M^r. Dumer
Mr. Bradstreete.

Vpon the appearance of Nicholas ffrost att this Court, & his sheweing iust cause whie hee was detained from the last Court the s^d Nich ffrost, Henry Joslyn gent. & John Pickrin are discharged of their recognizance of C^l & the said Nich: ffrost hath bound himselfe in xxⁱ to appeare att any Court hereafter, vpon sumons to answer to such things as shalbe objected against him./

W^m. Shepheard sent.
for Theft.

Ordered that Willm Shepheard serv^t to Willm Sumr shalbe whipt for stealeing victualls from his m^r. & beanes from the Indians.

W^m. Perkins sent.
for being drunk, D.

Ordered that Willm Perkins shall (for drunkenes & other misdemean^m by him comitted) stand att the nexte geⁿall Court one houre in publike vewe, with a white sheete of pag on his brest, haveing a greate D made vpon it, & shall attend the pleasure of the Court till hee be dismissed.

Georg Ropp^e sent
to be whipt for strik-
ing his m^r, Mr. Gar-
ford, c^r.

Ordered that George Ropps shalbe seuerely whipt here this p^rsent Court, & againe after some convenient tyme att Salem, att some publike meeteing there, for strickeing his maist^r M^r. Garford, throweing him downe & spurneing him with his feete being downe, & the Court hath in- treated John Endicott Esq^r to see his correc^on gyven./

W^m. Barker sent. for
theft.

Ordered that Willm Barker* shalbe whipt for stealeing Bacon cheese c^r from Ralfe Tompkins./

[Pages 175 to 177 contain records of the General Court from March 3, 1635-6, to May 25, 1636. From here the original record is in the handwriting of Increase Nowell.]

[178]

the 7th of the 4th m^o @ 1636

A quarter Court held at Boston the 7th of the 4th M^o @ 1636: †

present
the Governor
the Deputy Govr.
Mr Tho: Dudley
Senl
Mr Rich^d Belling-
ham

John Jobson shipmaster vndertooke & bound himselfe in a sum sett of 10ⁱ to answear for ff^rancis Tobey any damage not exceeding 10ⁱ./

Edw^d Bendall was fined 40^s to the
Ed: Bendall. Comp^a, & [10^s] to the sentry & to returne

* Baker in L. copy.

† See Winthrop II. 344, case between Rich^d Beggary and wife for divorce heard by the "Governour and Council and assistants" June 2, 1636.

‡ In Assumpsit in L. copy.

Mr John Haynes
Mr Willm Coddington
Mr Roger Herlack-
ingden
Mr Richd Dummer
Increase Nowell
Mr John Humfrey
Mr John Endecot.

Phillip cons.

to prison till hee acknowledg the iustice of the Court,
& pay his fine. Hee after acknowledged his sinn,
paid his fine, & was discharged./

John Whitele, Willi: Bayrstow, &
Whetle, Tymothy Wales were censured to be whiped
Bairstow, 6 stroaks a peece for drunkennes./
Wales, cens.

John Philips was chosen Cunstable of Dor-
chester, & tooke his oathe to that place belonging.

Mr Moses Maverick paid the Gov^rno^r 40^s rent for Nodles Iland.

Tho: Miller
comitt.

Thomas Miller pylote, & mate to Mr ffearnes in
the Hecto^r was comited for certeine seditious & oppro-
brious speeches, saying wee are all rebels, & traytors,

& hee would iustify it to the Governo^r face, & that hee had bene twice
at y^e Counsell table, & would go againe, & doubted not but to bring
some to scourge vs.*

The 6th Day of the 7th M^o @ 1636:

A quarter Court kept att Boston.

present
The Governo^r
Deputie Governo^r
Mr John Haynes
Mr Richd Bellinga
Mr Willm Coddington
Mr Willm Pinchon
Mr John Winthrop
Iunr
Mr Roger Herlak-
enden
Mr Tho: Dudley
Mr John Humfrey
Mr Richd Dummer
Mr Symon Brad-
streete
Increase Nowell.

It was ordered that John Olyver & Rob^t Marten
should veiwe the land beyond monotoquid ryver, &
bring a plot of the same.

[Jam]es Clarke & Joane Clarke were **accused**
||suspected|| of fornication but no cleare gufe.

Robert Shorthose for swearing by the
Shorthose bloud of god was sentenced to have his
sent. tongue put into a cleft stick, & to stand so
by the space of haulfe an houre.

It was ordered that Mr Dudley Mr
Comitt. Endecot, & Mr Bradstreete or any two of
them should examine the accounts betweene Mr Rich^d
Saltonstall & Edw^d. Dillingam, & report to the Court
how they find the estate of John Dillingam, & his wife deceased.

Mr Oldams estate.
It was ordered that Mr Haynes, Mr Harlaken-
den, & Increase Nowell or any two of them should
examine a busines concⁿing Mr Ouldams estate, & debts: & Mr Hutch-
inson & Mr Mayhew to gather vp the debts & estate, & bee accounta-
ble to the Courte.

* See Winthrop I. 187, and II. 344.

John White being bound vpon recognizance forfeited ten pounds.
 Jno. Whites bond.

Peter Bussaker was censured for drunkennes to bee whiped, & to have twenty stripes sharply inflicted, & fined 5^l, for sleiteing the magistrates, or what they could do, saying they could but fine him.
 Petr Bussacks sent.

Edward Woodley for attempting a rape, swearing, & breaking into a house was censured to be severely whiped 30 stripes, a yeares imprisonment, & kept to hard labo^r wth course dyot, & to weare a Coller of yron.
 Edw: Woodley sent.

Elisabeth the wife of Thomas Aplegate was censured to stand wth her tongue in a Cleft stick for swearing, raileing & revileing./
 Eliz: Aplega^t sent.

[Pages 179 to 183 contain the General Court record from Sept. 8th to Oct. 28th, 1636. Page 183 has also the following record.]

A quarter Courte houlden at Boston the 6th Day of the 10th M^o @ 1636:

present
 The Govno^r
 the Deputy Govno^r
 M^r Thom: Dudley
 M^r John Haynes
 M^r Rich: Bellingham
 M^r John Humfry
 M^r John Endecot
 M^r Will: Coddington
 M^r Richard Dummer
 M^r Jn^o Winthrop Jun^r
 M^r Symon Bradstreet
 & Increase Nowell, sc:

The same order was renewed, w^{ch} was formerly agreed vpon betweene M^r Rich^d Saltonstall, M^r Apleton & M^r Edw^d Dillingam & the same gentlemen to whom the cause * was referd to have power to determine or to report to the Courte.

Will: Clarke being convicted of severall thefts was censured to bee severely whiped, & Comited to prison till the ship returne, & then to bee sent home./

Anthony Robinson being convicted of fornication comited by him 3 times by his owne Confession was censured to bee whiped, & to have 20 stripes sharply layd on. Hee was also enio[y]ned to appeare at the next quarter Courte after the expiration of his time, & the meane while to bee of good behavio^r./

[On pages 184 to 190 is the General Court record from Dec. 7, 1636, to April 18, 1637.]

* The words "did belong" are inserted here in L. copy.

[191] A Quarter Courte houlden at Boston the 7th Day of the First M^o @ 1636 :*

In regard the imprisonment of Edward Woodley doth prove p'iuditial to his m^r, the Courte (if the mayde shall professe her freedome from feare before M^r Haynes) doth release the said Woodley to his master./

Weybro Lovell wife of Cap^t. Lovell being p'sented by the grand jury for light & whoarish behavio^r, was seriously admonished to repent, & walke humbly, chastly, & holily./

John Emerson being accused by Edith Pitts forfeited 100^l.

George Kendrick & Will: Hatche forfeited 50^l a peece for want of John Emerson's appearance. These were discharged the 4th m^o. 1638.

James Hayden was admited to be free because of his m^r. his former qmise before the act of the Courte made against it./

It is thought equall by the Court that the towne of Salem should repay goodman Robert Moulton the money taken of him for the last 1200^l rate./

Will: James being p'sented for incontineny knowing his wife before marriage, was sentenced to bee set in the bilboes† at Boston the 5th in the afternoone, & in the stocks at Salem vpon the next Courte day, & bound in 20^l./

The power formerly granted to M^r Dudley, M^r Endecot, & M^r Bradstreete, is granted to Increase Nowell & Thom: Mayhewe, to examine the accounts betweene M^r Rich'd Saltonstall, M^r Apleton, & Edward Dillingam./

Cap^t. Lovell was admonished to take heede of light carriage.

Tymothy Tomlins was contented to take onely x^s of John Stretton.

A Capias was graunted to John Stretton to bring Kibbe & Elwell before the Governo^r.

Thom: Pettet for suspition of slaunder, idlenes, & stubbornenes is censured to bee severely whiped, & to bee kept in hould.

* 1636-7?

† The L. copy has also here "upon the next court day."

Attachment was ~~sent~~ [ordered] for Will: Powell to appear the 28th p'sent for contempt, & to answer to the accusation of Tho: Pettet./

John Trumble was fined 20^l to the Common Wealth
Jn^r Trumble find 20^l.

resting till the next quarter Court, & bound in 40^l to appeare the first tewsday in the 4th month @ 1637./

Mary Bowler was adiudged to make double restitution for the things stolen by her from others./

[On pages 192 to 196 is the record of the General Court 17 May, 1637, and also the list of freemen from May, 1636, to March, 1638-9. The following record is on page 195.]

The First of the 4th M^o @ 1637 :

M^r Rich^d Saltonstall being chosen an Assistant by the Generall Court this day tooke the oath to that place belonging./

[197] A Quarter Court houlden at Boston the 6th Day of the 4th M^o @ 1637 :

present
the Governor
the Deputy Governor
Colo: Jn^r Endecot
M^r Rich^d Bellinghā
M^r Jn^r Winthrop
Junior
M^r Roger Heriaken-
den
M^r Rich: Salton-
stall
M^r Israell Staugh-
ton
Increase Nowell.

Sweet find.

John Sweete being p'sented by the grandiury for shooting a wolfe dog of Colonell Endecots, in Colonell Endecots owne yard was fined 5^l & to bee imprisoned dureing the pleasure of the Courte./

Anderson
find.

Robert Anderson for his contempt was fined 50^l, & sent to prison till hee shall give satisfaction./

Jn^r Hatha-
way, for
adultery.

John Hathaway being accused of adultery wth Margaret Seale wife of Edward Seale, James Peñ & Samuel Coles

testified that hee confessed it to them : so the grandiury found the byll of inditement to bee true though

Rob^t Allen & Marg^t
Seale, for adultery.

Rob^t Allen & Margaret Seale being accused of adultery confessed the fact; so the grandiury found the byll of inditem^t to bee true.

Mathue Bridg
bound ouer.

Mathewe Bridg being accused to bee guilty of the vntimely death of John Abbot the said Mathewe, & John Bridge his father were bound in 40^l for his ap-

pearance at the next quarter Courte to bee held the first tewsday in the 7th m^o at Boston.

Order abt Phebe
Seales free frō Jn^e
Coggeshall.

In regard Phebe Seales was by order of Court put app'tice to John Coggesall of Boston mēchant, who at the instant request of the Courte accepted the same, & for that the said girle hath qved over burthensome to him, the Court (as formerly) so nowe have thought it iust to ease him of it, & whereas the said girle was put by the said John Coggeshall to one John Levins of Roxberry to bee kept at a certeine ^h; It is now ordered that M^r Deputie calling to him M^r Brenton, & Will: Parks chosen by the said 2 pties shall have power to end the difference betweene the said parties, & to set downe such order for the ease & discharge of the said John Coggesall & disposing of the said Phebe as they shall thinke equall.

Jn^e Palmer costs gr
to him.

John Palmer was graunted 10s^e costs against Georg Woodwar[d] for not psecuting his suite haveing summoned the said John to appeare this quarter Courte.

15th of Jn^e Trumbles
20 fine remitted him.

John Trumble being formerly fined 20^l fifteen pound of the said 20^l is remited, & the other 5^l hee hath a yeares time granted him to satisfie the same.

Rich: Osbornes in-
junction.

puting him to the Castle.

Rich'd Osborne was enioyned to give an account to the Cunstable weekly * how hee doth impve his time, & if hee neglect, further order to bee taken, by

Isack Danies to be
sent home to his
wife in Eng.

Isaack Davies was ordered to bee sent whom to his wife to England, & the care thereof is comitted to Salem./

Binfeild^e children,
how disposed.

goods of the
Country./

Whearas John Binfeild† dyed leaving 2 child'n vndisposed of, the charge of the one was ordered to bee defrayed by M^r Cradock, hee haveing the goods of the deceased, the other child being disposed of by the

Edw^d Seales sent. to
be whip. for drunk-
eness.

Edward Seale for his beastly drunkennes was censured to bee set in the bilboes till the end of the Court, & then to bee severely whipped.

Geor: Munnings find
for selling beer.

George Munnings was fined 20s^e for seling beare & keeping a house of intertainement without license./

Sam: Cole find.

white wine as is sent f[or].

Samuell Cole was fined 10s^e for selling a quart of beare a[t] 2^d, & was licensed to sell such claret &

* Wm Kelly in L. copy.

† Benfeild in L. copy.

Rob't Longe was fined 10* for seling a q't of
 Rob't Longe find. beare at 2^d, and was licensed to sell such claret &
 white wine as is sent for.

[198] William Baulston was fined 10s for selling a q't
 Wm Baulston find. of beare at 2^d.

James Browne was censured for drunkennes to bee
 James Browne cens. set two houres in the bilboes vpon the market day at
 Boston publikely

& the said James Browne was fined 40s for selling strong water
 to the Indians wthout license.

Benjamin Hubberd was also solely admonished
 Benja: Hubburd ad- of his failing for being in Company wth James Browne
 monish. & the rest, & often drinking of the strong water bottle†
 wth them, & not repvng them.

George Woodward was ordered to give Rich'd
 Gorg Woodward costs. Chadwell 6* 8^d because hee called him for a witnes
 from Saugust ‡ by warrant.

John Knight of Newbury, licenst. John Knight of Neweberry was licensed to keepe
 an [ordinary, & give]§ intertainement to such as needs.

Nicholas Vpsall of Dorchester was licensed to
 Nicho: Vpsall, of keep a ordinary, & give intertainement to such as
 Dorch. licenct. needs./

Willi: Knop was enioyned vpon paine of 100^l &
 Wm Knop cense. imprisonment to bring in sureties wthin 8 dayes for his
 appearance at the next quarter Court to answeare what shalbee objected
 about his speaches of M^r Vaine o^r late governo^r./

M^r Samu^{el} Maverick was enioyned to keepe in
 M^r. Sam: Maürick his hands of the goods of Robert Anderson to the
 injunction. valew of 50^l starling for his fine, for his contempt offered, & to deliver
 him the rest of his goods./

The 5th day of the next weeke, being the 15th of
 A day of thanks- this month was appointed to bee kept a day of thanks-
 giving. giveing in the severall Churches./

Willi: Baulston is licensed to keepe a house of
 Wm. Baulston lls. intertainement, & is licensed to sell such claret & white
 wine as is sent for./

* 20s in L. copy.

† The word bottle not in L. copy.

‡ Lynne in L. copy.

§ These three words omitted and the words "house of" substituted in L. copy.

Order was appointed to bee given to the Cunstable
 Schooler sent for, & of Neweberry to app'hend Schooler,
 old Jn^e Bayly. Bayly * & dwelling beyond
 merrimack† to appear at the Court at Ipswich or before the magistrates
 there, who have power to take further order as they shall see cause.
 Hen: Kingman, of Henry Kingman of Waymoth is licensed to keepe
 Weymouth, licenc^t. a house of intertainement./

[On page 199 and the first part of page 200 is the General Court record of
 Aug. 1, 1637. The rest of page 200 contains the following record.]

The 5th Day of this 7th Month 1637.

present
 the Govern^r The quarter Court was adiourned till the 19th
 the Deputy Gov^r of this 7th month because of the Synode kept at
 Mr Rich: Bellinghā Newetowne for the setling of things in difference
 Mr John Winthrope in: amongst vs.
 Mr Rich: Saltonstall
 Mr Israel Stanghtō
 Increase Nowell

The 7th Day of the 7th Month @ 1637.

The Generall Courte by the Generall Consent of all present was
 adiourned to the 26th of this 7th month, & the pticuler Courts in the
 severall places to bee kept the last Tewsdays of the 8th month./

Mr George Moxham & M^r Tymothy Dalton were
 Freemen, 2. made free this 7th day.

The 19th of the 7th M^o, @ 1637.

A quarter Courte held at Boston, & Newetowne because of the Con-
 ference.

the Govern ^r	Jn ^e Wms,	John Williams being indited about
the Deputy Gov ^r .	murdr.	the death of John Hobbe† confessed that
Col: John Endecoot		hee killed the said Hobbe, so the Jury
Mr John Humfrey		found him guilty of murther.§
Mr Rich: Bellinghā		William Schooler being indited for the
Mr Israel Stanghtō		death of Mary Scholee¶ the Jury found him
Mr Rog ^e Herlakenden	W ^m Schooler	guilty of murdering the said Schoolee.§
Mr Rich: Saltonstall	for murdr.	
Increase Nowell.		

* Not in L. copy.

† Hobbey in L. copy.

¶ Schooley in L. copy.

† Merrimack river in L. copy.

§ See Winthrop I. 241, 321.

Mary Osborn acqu^d. Mary Osborne the wife of Osborne being indited about the death of her daughter, found* the byll Ignoramus.

Jⁿ Hathaway, adulty. John Hathaway being indited for adultery was found guilty.

Rob^t Allen, adult. Rob^t Allen confessed Adultery, & was found guilty.

Marg^{et} Seale, adult. Margaret Seale the wife of Seale confessed adultery & was found guilty.

The grandiury men.

John Holgrave
Daniell Raye
Will: Parke†
Isaack Morrell
Jonathan Wade
Will: Bartholmew
Rich^d Joanes
Rob^t Harding
Samu: Wilbore†
Henry Kingman
Rich^d Adams
Edmond Hubberd seni:
Thom: Hamond
Abrah: Palmer
Brian Pendleton
Thom: Cakebread.

The Jury of Life & Death.

Ralph Hudson
Samuell ffinch
Willi: Curtis
Willi: Barsham
John Smyth
John Holman
John Holland
Nicholas Vpsall
John Geepin
Ezechi:§ Richardson
Thomas Squire
Rich^d Betscombe.

[201]

William Brumfeild being examined about theft confesed that hee had stolen above 5^l from his m^r, & about an elle of cloth, & for his stealeing, plotting to run from his m^r. lying, drunkennes, & idlenes was censured to make double restitution to bee branded, & bee severely whiped.

Georg Spencers sent. George Spencer who received 6s^o of the said Brumfeild was censured to make double restitution, & bee whiped.

Georg Barlow sent. George Barlow for his idlenes was censured to bee whiped.

* "The Grand Jury found" in L. copy.

† Gibones in L. copy.

† Parkes in L. copy.

§ Elizabeth in L. copy.

John Hogges being accused of drunkennes confessed it, & was fined 3^l.

Jⁿ Hogges sent.

Jacob Smyth was discharged for want of evidence vpon his imprisonment.

Jacob Smith discharged.

Mathew Bridge appearing, & no evidence comeing in against him, hee was quit by clamation.

Mathew Bridg acqu^d.

M^r John Greene of new evidence was fined 20^l, & comited vntill the fine of 20^l bee payd, & enioyned not to come into this iurisdiction vpon paine of fine, or imprisonment at the pleasure of the Courte for speaking contemptuously of the magistrates.

M^r John Stretton was fined x^l for lending a gun to an Indian four dayes.

M^r John Stretton fined, x^l.

It was ordered that M^r Joseph Weld & M^r John Benjamin (being authorishd) should make sale of M^r Gurlings land for satisfaction of the credito^rs in pportion if it come to short, & if an overplus bee, that to remaine in the hands of M^r Benjamin.

338 Gurlings land to be sold.

The 23th * of this 7th m^o 1637 M^r Hugh Peters deliv^red into the court a deed of M^r Robert Saltonstall makeing over all the estate that hee hath, or shall have to satisfy his Credito^rs.

M^r Rob: Saltonstall deed for his creditors.

[The rest of page 201 and pages 202 to 213 contain the General Court record from Sept. 26 to Nov. 20, 1637.]

[214] At a quarter Court held at Newetowne the 5th Day of the 10th M^o @ 1637.

Whereas there came into this Courte Rich^d Browne of Watertowne on the behalfe of John Woolcot, & William Curtis of Roxberry, & by mediation of the Court the said Willi: Curtis was willing & did agree to pay vnto the said Rich^d Browne 5. 10^s w^{ch} hee was indebted to one John Jesop, now out of this iurisdiction, in satisfaction of 5. 10^s dewe by the said Jesop to the said John Woolcot † this Court doth order that vpon payment of the said 5^l 10^s by the said Curtis, the said John Woolcot, † & the said Rich^d Browne, & their executo^rs shalbee always lyable to save harmlesse the

present,
the Govern^r
Deputy Govern^r
M^r Bellingham
M^r Herlakenden
M^r Staughton
Increase Nowell

M^r Rich:
Browne
satisfaction
for 5^l 10^s
from Curtiss
Jesop, &c.

* 13th in L. copy.

† Wolridge in L. copy.

‡ Wolcott in L. copy.

said Willi: Curtis against the said Jesop for the said 5^l 10s^r till a sufficient discharge bee oth'wise had from him.

Luke Henbury being convicted of theft was censured to bee severely whiped, & for ruñing away./

Luke Henbury
sent., for theft, to be
whip^d, &c.

Hen: Harwood
invento.

The inventory of Henry Harwood of Charlstowne was p'sented to this Court being 46^l 17^s 8^d* & the debts 4^l. Edw^d Conv'se, Rob't Long, & Rob't Hale were the appraisers.

268

Joane Draks will &
invent.

The Inventory of Joane Drake wth a Coppey of her will was presented to the Court being 28^l 1^s 5^d. Willi: Cheesbro James Penniman, & Willi: Huet were the appraisers. She gave $\frac{1}{4}$ of her goods at Boston in N. E. to John N[o]tt,† to her sister Duglas 2^l, to her nephew to whom shee was a witnes 20^s to buy him a bible, the rest of her goods heare in Newe England to Samuell Bellingham, & all [her] goods in ould England shee gave them equally between her two sisters there.

the disposing of these shee leaveth to her m^r as executor.

There is 5s^r damages graunted George Woodward to bee paid by Willi: Dinely, who sumoned him to appear at this Court, and causing him to attend, did not p'secute ag^a him.

Georg Woodward
costs.

There is 13^s 4^d damages granted Sam: Freeman to bee paid by John Gay, who sumoned him to appear at this Court, and causing him to attend wth 2 witnesses p'secuted not against him.

Sam: Freemans
costs.

[215] At a quarter Court held at Newetowne the 6th of the First Month @ 1687:†

p'sent,
The Governor
the Deputy Govern^r
M^r Bellingham
M^r Humfrey
M^r Herlakenden
M^r Staughton
Increase Nowell.

Jose^f Faber.

Joseph ffaber being complained of for selling of wine wthout order was find 10^s for sellg a gallon.

Hollard.

Angell Hollard being p'sented for a libell acknowledged his fault of himselfe volentarily, & was fined 20s^r./

Brigg bond for his
wife.

Clement Briggs is bound in x^l for his wives appearance at the next quarter Court

Arthur Warren, for
accomp^y Brigs wif.

the p'sentment of Arthur Warren for keeping Company wth Clement Briggs wife was found to bee true.

* &c omitted in L. copy.

† Natt in L. copy.

‡ 1687 in L. copy.

Laur: Waters bound
for his wife.

Lawrence Waters is bound in x¹ for his wife's
appearance at the next quarter Court.*

Leff Howe bond
App.

Leiff Howe is bound in 20¹ to appear at the next
quarter Court.

368

Gurlings land sold.

bran, and Goodm Bridge./†

The sale of M^r Gurlings land by M^r Benjamin
& M^r Joseph Weld to M^r Andrews is confirmed, &
appointed to bee layd out by M^r Damfort, M^r Cole-

Jn^o Woolridg
admonish^t for his
drunkenes.

John Woolrige appearing vpon the inditement of
the grandiury confessed his fraude & drunkennes in
ould England for w^{ch} hee was sharply reprov'd &
seriously admonished./

Xtopher Grant find
5 for excess. drink-
ing.

Christopher Graunt appearing vpon p^sentment for
being in company, & drinking more then was con-
venient was fined 5^s./

Hen: Bright dismis^t.

Henry Bright appearing was dismissed

Mullinder appearing was dismissed

Nicholas Busbey, an
attach. issue out ag^t
him.

Nicholas Busbey not appearing an attachment
was granted against him to appeare at Boston the
22th p^sent at Boston.

Tho: Smyth^t attach^t
ag^t him.

John Smyth not appearing attachment was
granted against him to appear at Newetowne the 27th §
p^sent.

Tho: Starr find 20
for speaking ag^t the
law.

Thomas Starr being accused for speaking against
the order of Court about swine, & the same qv'd that
hee said the law was against gods law, and hee would
not obey it: so hee was comited, & enioyned to acknowledg his fault
the 14th at the gen^lall Court, & was fined 20¹, & to give security for
his fine, or pay the same before his releasement./

Attachm^t gted ag^t
seu person, as Edw:
Lambe, c^r.

attachment was graunted ag^a Nic^o ¶ Theale to ap-
pear the 4th [m^o.]

attachment was granted ag^a Edward Lambe to
appear the 4th m^o.

attachm^t was graunted ag^a John Bennet.

attachm^t was granted ag^a Philip Deare.

Tho: Ewar, cons^t of
Charls T⁸.

Tho: Ewar was chosen Cunstable of Charlestowne,
& tooke his oath to discharge the said office god help-
ing the 24th, first [m^o.]

* This paragraph not in L. copy.

§ 22 in L. copy.

† John Bridge in L. copy.

‡ So in the original.

¶ Richard in L. copy.

[Pages 216 to 224 contain the General Court record for March and May, 1638.]

[225]

Qu^{er} Court, 5:
4: 38.

present.
The Governor
The Deputy Governor
Mr. Endecott
Mr. Bellingham
Mr. Saltonstall
Mr. Stoughton
Mr. Bradstreete
Mr. Herlakenden
Incr: Nowell.
Ric: Collis.

Gurlins land.

Difference be-
tweene Mr.
Whit. & Mr.
Woolcot re-
ferd.

Edith Pitts
abused.

Mr. Hen: Sewalls
beating his wife re-
ferd to Ipsw.

Rob^t Bartlet sent.
for swearing, his
tongue in a cleft stick.

Jⁿ Smith sent.

Kath: Cornish
admonish^d.

At A Courte of Assistants held at Cambridge the
5th Day of the 4th M^o @ 1638: being a q^{ter} Courte.

It was ordered wth the Consent of M^r
Baggerly that the increase of M^r Skeltons
Cattle should bee divided according to
M^r Skeltons will, & that the goods & household
stuffe w^{ch} belongs to the 3 eldest childⁿ should be
divided by some of the Church of Salem, & comitted
to the Church of Salem./

Rich^d Collicot & John Buslin were fined 6^s 8^d a
peece for absence when the Court sat in the afternoone
being Jurymen.

M^r Willard & M^r Spencer are ioyned wth oth^rs
formerly appointed about M^r. Gurlins land./

M^r Rich^d Bellingham, Increase Nowell, & M^r
Mayhew are appointed they or any two of them to
examine witnesses vpon oathe & to heare & examine
all things concerning M^r White & M^r Woolcote,* &
to do it wthin 14 dayes, & M^r Woolcot is to bring in a pfect inventory,
& distinguish the goods inventoried between his & the Childrens
leaving to the Court to give order about them.

Samuell Jackson & Edith Pits did appear, & give
in their evidence ag^t John Emerson of Scituate about
his abusing the said Edith./

Henry Seawall being p^sented by the grandiury
for beating his wife is referd to the Court of Ipswich
to examine, & hee to appear wthout any new summons./

Rob^t Bartlet being p^sented for Cursing &
swearing was Censured to have his tongue put in a
Cleft sticke.

John Smyth of Meadford for swearing being
penitent was set in the bilboes.†

Katherine vxor Rich: Cornish was found suspi-
tious of incontinency, & was seriously admonished to
take heede.

* Wolcott in L. copy.

† This paragraph not in L. copy.

Clem^s Brig wife
enjoy. not to ac-
compā Arth: Warren.

Clement Brigs his wife is enioyned not to come
into the Company of Arthur Warren.

Willi: Busbey being p'sented for drunkennes it
was found the falling sicknes.

Laurence Waters Wife was enioyned to give John
finch 18^d & Nico: Theale to give Jno finch 18^d &
Edw^a Lambe to give him 2^s & lambe was fined 15^s 6^d
for his contempt, & all of them were admonished
to avoyde dancing.

John Bennet & Philip Deare were referd to Salem for their
drunken[es.]

Newbery find 6.8. The towne of Newberry was fined 6^s 8^d, &
enioyned to repaire y^r defects before the Court in
Septemb^r.

Ips. find 6.8. The towne of Ipswich is fined 6. 8^d, & hath
lib'ty till the 7th m^o to repair their defects.

Linn find 20^s. The towne of Linn is fined 20^s, & enioyned to
mend their wayes before the next Court./

Charl Tō find 6.8. The towne of Charlestowne is fined 6^s 8^d & hath
lib'ty till the 7th month.

Tho: Ewar find 40 for leauing his pitt open. Thomas Ewar is fined 40^s for the leaving his pit,
or well open in w^{ch} a child was drowned./

Camb. find 5. The towne of Cambridge was fined 5s^s & to
p'pare before the next Court.

Boston traū y^rir present. The towne of Boston trav'se their p'sentment./

Edmund Hubbard find 40. Edmond Hubberd Senior was fined 40^s for leav-
ing a pit open in w^{ch} a child was drowned./

Franc Westons wife set in the bilboes 2 howers. Francis Westons wife was censured to bee set 2
houres in the bilboes hear & 2 houres at Salem vpon
a lecture day.

Dor^a find 6.8. The towne of Dorchester was fined 6. 8^d & hath
liberty till Septemb^r next.

Rox. find 6.8. The towne of Roxberry was fined 6. 8^d & hath
lib'ty till the 7th month.

Weymon^a find 6. 8. The towne of Waymoth was fined 6^s 8^d & hath
lib'ty till the 7th month next. .

Hingh. find 6.8. The towne of Hingham was fined 6. 8^d & hath a
months lib'ty.

John Holgrave is referd to Salem./

Tho: Gray to be
seuly whipt &
banish^d.

Jn^s Leg & W^m Ed-
monds bonds for
y^r wives.

Rob^t Cole.

Jn^s Emersons bond.

Thomas Gray was censured to bee severely whiped, & the former execution of banishment to bee inflicted.

John Leg bound in 40^l & Willi: Edmonds bound in 40^l to ~~bring~~ ||carry|| their wives to Salem Court & Rob^t Keyes bound in 20^l to appear.

Rob^t Cole was enioyned to pay the witnesses 10^s & so was discharged.

John Emerson is bound to the good behavio^r for twelue months & bound in 40^l to appeare at the quarter Court in this iurisdiction the 4th m^o. 1639./

George Pye a more * was to remaine wth M^r Cradock vtill advise from England, & advise to bee sent to Rye./

Rob^t Morgan, Edw^a Hall, & Rich: Lambert are referd to Salem./

[226] A Courte of Assistants held at Boston the 4th of the 7th Month @ 1638:†

present,
the Governo^r
the Deputie Governo^r
M^r Endecott
M^r Bellingham
M^r Herlakendon
M^r Bradstreete
M^r Stoughton
M^r John Winthrop
Jun^r:
& Increase Nowell.

The Cunstables of Cambridg & the Cunstables of Boston are fined 10s^r a peece for not returning their warrants in time wth the names of the Jury men./

Hen: Collens
find.
Henry Collens is fined 5^s for not appearing when hee was called to serve vpon the grand iury./

Katherin,
wife of Sam:
finch, whipt
for speaking
ag^t magist^r &
church^s.
Katherine the wife of Samuell Finch being accused for speaking against the magistrates, ag^a the Churches, & against the Elders was censured to bee whiped, & comited till the gene^all Court./

Holloway is bound in 20^l to appear at the next Courte.

John Crosse being warned to appear about his servant Clement Manning who miscarried the said Crosse was discharged.

Geor: Horne find for
being distempred
by drinke.
George Horne is fined 10^s for distemper wth drinke wth his m^r. Willi: Denne vndertooke to see satisfied./

John Smyth bound in 20^l to appear at the next Courte./

W^m South whipt &
banish^d.

William South is censured to bee severely whiped, & kept to the Generall Courte./ by whom hee was banished to returne no more vpon paine of death./

* So in the original. Moor?

† See Winthrop I. 274, mention of an action against one Gillow at this Court.

M^r. Jⁿ Winthro
took his oath.

M^r John Winthrope iunior tooke the oath of
Assistants.

The busines of Capt Lovells is referd to M^r Roger Herlak[e]nden &
Increase Nowell to examine all things about it both estate & debts./

Edw^d Wilson will The Inventory of Edward Wilson, amounting to
& estate. 48^l 2^s 00^d, was delivered into the Court this 4th day
of the 7th m^o./ by Thom: Wilson, executor of the afore-
named Edward, & was received de bene esse./

Jane Drakes legacy It was ordered wth the consent of M^r Rich^d
to Jⁿ not. Bellingham that the said M^r Bellingham should de-
liver Willi: Cheesbro for John Nott 6^l in satisfaction
for his ¼ p^{te} of all the goods & chattels given him by his aunt Joane
Drake this to bee d^{tt} p^{es}ently & the said M^r Bellingham to bee dis-
char[g]ed thereof vpon delivery of the same.

Agreem^t betw. Jⁿ The agreement betweene M^r John ffiske & his
& W^m ffiske. brother William made by M^r John Endecot, Willi:
Hathorne John Woodberry & Jeffrey * Massey was
approved in Court wth the consent of p^{ties} that the said Jⁿ shall
returne 200^l of the estate in his hands to his brother Willi: & Willi:
shalbee bound to give vnto his said Brother John, if hee dies vnmarried
before hee comes to the age of 24 yeares the sume of 100^l, & the said
Willi: did release to the said John in Court all his Interest in the
land./

391- John Knowles (haveing married the widow of
Admin^{str}acon to Rob^t Ephraim Davies who was sister to Rob^t Bills) was
bills estate. granted administration of the estate of Rob^t Bills.

Silues^t Baldwins The will of Silvester Bauldwin was p^{es}ented into
estate. the court & his wife Sarah & sonne Rich^d were
alowed executors according to the will.

[On pages 227 to 234 and part of page.235 is the General Court record for
September, 1638. The following Quarter Court record begins on page 235.]

A quarter Courte houlden at Boston the 4th day of the 10th month @
1638:

psent,
the Governor
the Deputie Go:
M^r John Endecot
M^r Rich^d Saltonstall
M^r Symon Brad-
streete

George Walton was fined 10s^r for swearing, &
paid it in Court.

John Kinge, Willi: Reeves, & John Davies ap-
pearing were discharged till further information bee
given about the murtherer they tooke from the iland.

* Geoffrey in L. copy.

Mr John Winthrop, Rob't Shorthose was comitted for saying if the
 iunl magistrate had any thing to say to him hee might
 Mr Israell Stoughton Increase Nowell. come to him, hee was released binding himselfe in
 20^l to appear at the next Court, & to bee of good behavio^r the meane
 time.

James Luxfoard & Beniamin Hubberd are bound in 10^l a peece for
 the appearance & good behavio^r of Rob't Shorthose.

The Indian w^{ch} had bene kept in prison was released
 being required to send or Bring satisfaction for the Cowe, or else satis-
 faction should bee taken frō Na[v]igan *

Thomas Hollaway appearing was discharged.

John Holgrave being p'sented by the grandiury for drawing wine
 against an order of Court was declared to have forfeited x^l & for caus-
 ing his daughter to deliver a paper to a Jury man out of Court hee was
 fined x^l hee was also by the Jewrye found guilty of contempt, & to
 have broken the rule of hospitality & the peace w^{ch} were remitted
 him./

Thomas Wilson for takeing above double tole was fined x^l & being
 p'sented for standing above sixe months exco[m]unica[te] hee was en-
 ioyned to appeare at the next Courte.

Samuell Basse for his contempt was fined 5^l./

Rich'd Turner for being notoriously drunke was fined 2^l.

William Blanton appearing was enioy[n]ed to
 Canooes. appeare at the next court † w^{ch} all the men that were
 in the Canooe w^{ch} him, & Alegate, w^{ch} owned the Canooe out of
 w^{ch} the 3 psons were drowned./ & it was ordered that no Canooe
 should bee vsed at any fferry vpon paine of 5^l nor no Canooe to bee
 made in o^r iurisdiction before the next generall Court vpon paine of
 10^l.

Also order was appointed to bee given to Rich'd Right ‡ to stave
 that Canooe, out of w^{ch} these psons were drowned.

Dorothy the wife of John Talbie being by her owne confession
 guilty of the vnnaturall & vntimely death of her daughter Difficult
 Talbye was by the Jury found guilty, & so was condemned to bee
 hanged./§

William Androws haveing made assault vpon his m^r. Henry Cog-
 gan struck him diverse blowes, & wickedly conspired against the life
 of his said m^r., & not onely so: but did conspire also against the peace,

* Naviganset in L. copy.

† Wright in L. copy.

‡ These last six words not in L. copy.

§ See Winthrop I. 279.

& welfare of this whole Common welth was censured to bee severely whiped, & delivered vp as a slave to whom the Court shall appoint.

[236] John Haslewood being found guilty of severall thefts, & breaking into severall houses was censured to bee severely whiped, & delivered vp a slave to whom the Court shall appoint.

Gyles Player being found guilty of severall thefts, & breaking into houses was censured to bee severely whiped, & delivered vp for a slave to whom the Court shall appoint.

John Bickerstaffe was censured to bee severely whiped for committing fornication wth Ales Burwoode.

Ales Burwoode was censured to bee whiped for yelding to Bickerstaffe w^{thout} crying out, & concealing it 9 or 10 dayes.

Katherine Cornish is respited vntill the Court the first m^o.

Attachm^t to bee sent out for Ibrooke, & Ralph Smythe.

Rob^t Abell for want of sufficient witnes was discharged.

Clement Brigs was not found gilty of extortion & so was discharged.

The towne of Waymoth was fined 10s^r for defect in their high wayes, & day was given them till the next Courte.

The towne of Dorchester for a defective high way was fined 5s^r, & had day given them vntill the next Courte.

The towne of Boston were fined 10s^r for their defective high ways || & want of a watch house || & day was given till the next Courte.

Attachment was to bee sent out for Edward ff^uller.

Henry Webb was discharged for want of sufficient witnes.

The Towne of Concord was fined 5s^r for want of a paire of stocks & a watch house.

The towne of Watertowne for want of a paire of stocks was fined xs^r & had day till the next Courte.

Isaack Sternes & John Page were fined 5s^r for turning the way about, & day was given till the next Courte.

Thomas Cornehill * appearing, & being licensed was discharged.

The wife of Josua Verin was referd to Salem.

An Attachment to bee sent out for George Richards.

Willi: Ballard huring no other but such as had lots was discharged.

John Coggan † was in like sort discharged because those w^{ch} hee hured were other mens servants./

* Cornall in L. copy.

† Cogan in L. copy.

The towne of Cambridge was fined 10s^r for want of a watch house, pound, & stocks, & time was given them till the next Courte.

John Bets appeared, & was discharged there being not evidence sufficient to prove his overselling./

The towne of Charles towne was fined 5s^r for want of a watch house, & time was given till the next Courte.

John Poole for abuseing his servant was fined 5l.*

John Cooper iunior was committed to his father for correction.

Francis ffelmingham & Willi: Pester appearing for want of witnes were discharged./

M^r Willi: Goose is respited vntill his returne.

Mary the wife of Thomas Oliver for disturbing the Church of Salem was committed to prison vntill shee should find sureties for her good behaviour & appearance at the [^] †

[237] Richard Geaves & Peter Bussaker for quarrelling and fighting are referd to the Court at Salem.

Rich^d Hollingsworth for prophaning the saboth in travelling was censured to bee set in the stocks vpon a lecture day at Salem./

The towne of Ipswich was fined 10s^r for defective high wayes, & time was given them till the next Court to repaire them./

Anthony Emery was fined 20s^r for a pound breach, & enioyned to give Thomas Coleman 13^s 4^d for his charges.

Thomas Savory for his grosse lying was referd to the Court at Ipswich.

The towne of Neweberry was fined 5s^r for want of a paire of stocks, & time was given them till the next Courte to make them.

Thomas Terry was enioyned to appear at the next Courte to answeare further.

An Attachment was granted for Jarvice Mudge to appeare at the next Courte.

John Haward being chosen Cunstable for the towne of Dedham did take his oath the 5th 10th m^o 1638.

Thom: Brooke being chosen Cunstable for the towne of Concord did take his oath the 8th 10th m^o 1638.

⁴⁰⁹ [^] † Ewar was allowed executrix of her husband Thom Ewar, deceased.

An Attachment was granted for John Harrison, gen^l.

* See Lechford's Note Book, p. 25.

† See Winthrop I. 261.

‡ The widow Ewar in L. copy.

[238] A Quarter Court held at Boston the 5th day of the first month
@ 1638 or 1639

present,
The Governor
the Deputy Gover
Mr Endicott
Mr John Winthrop,
in:
Mr Richd Saltonstall
Mr Israell Stoughton
& Increase Nowell

John Davies for grosse offences in attempting
lewdnes wth divers woomen was censured to bee se-
verely whiped both heare & at Ipswich, & to weare
the letter V vpon his breast vpon his vppermost
garment vntill the Court do discharge him.

John Greene dying in the house of Daniell
Brewar, administration was granted to the said
Brewar./

Willi: Blanton, Willi: Potter, Rob't Thorpe, Henry Neale, John
ffitch, & Thomas Aplegate appearing were discharged wth an admoni-
tion not to adventure too many into any boate.

Thomas Boyse haveing attempted a rape wth Sara Jusall was cen-
sured to give the mayde 5^l, & to bee whiped & imprisoned a time.

Willi: Judson appearing was discharged.

Isaack Deesbury was comitted & fined 5^l for stealing at Pecoit out
of w^{ch} the 3 witnesses are to have 5^s a peece, & the psecuto^r 10^s.

Ralph Smyth appearing was discharged.

Rich'd Ibrooke for tempting 2 or more maydes to vncleannes was
fined 5^l to the country, & 20^s a peece to the 2 maydes Rebecca Phippen
& Mary Marsh.

Thomas Aplegate was appointed to have 29^s for his Canooe, when
the armes w^{ch} hee borrowed are returned back as good as they were
when he borrowed them.

James Meadecalfe not being returned from Pascataque M^r Samu:
Maverick had granted him liberty till the next Court to bring him
in./

Edward Saunders being sick at Pascataque Nicolas Davyson had
liberty till the next Court to bring him in./

John Hogges,* for swearing Gods foote, & cursing his servant,
wishing a poxe of g[o]d take yo^e was find 5^l./

John Harrison not appearing a new attachment was granted.

Chaulkley the wife of Robert Chalkley not appearing
attachment was granted for her to appear at the next courte.

Ric'd Silvester was fined 12^s for selling strong water, w^{ch} hee paid
into the Court.

Robert Shorthose was set in the bilboes for sleiting the magis-
trate in his speaches.

* Hogge in L. copy.

James Ludden had granted his 10s^a against Cutshamache, who warned him to appear, & did not come to psecute./

Edmond Audley is granted administration of the goods of Francis Dent deceased vpon the testimony of John Winge, & Sargent Davies,* vpon oath./

An Attachment was granted for John Harrison.

An Attachment for Chaulkley, the wife of Rob^t Chaulkley.

[From page 239 to page 253 is the General Court record for March, May and June, 1639. Page 254 contains lists of freemen for May and June, 1639, and also the first part of the following Quarter Court record.]

The 4th day of the 4th month @ 1639 A Quarter Court held at Boston

p^{re}sent,
the Governor
the Deputy Gov^r
M^r Endecott
M^r Bellingham
M^r Rich: Saltonstall
M^r Stoughton
M^r Bradstreet
Increase Nowell

Y^e following 3
pages omitted
a[s] q^{ue}re
Courts †

Rich^d Silvester for speaking against the law about hogs & against a perticuler magistrate was fined ten pounds, whereof the three witnesses to have 6^s 8^d a peece./

Henry Laurence was for the p^{re}sent discharged about Capt. Bonito his servant./ †

M^r Samu^{el} Maverick being bound in ten pounds for the appearing of James Meadcalfe forfeited his recognisance.

M^r Nicho: Davison being bound in ten pounds for the appearing of Edward Saunders forfeited his recognisance./

John Stretton vpon evidence of his repentance was freed from his bond to the good behavio^r wth an admonition./

John Emerson appearing was discharged of his recognisance.

Thomas Bushrode haveing warned David Phippen, Joseph Andrews, & Henry Coggan to appear at this Court, & himse^{lf} not appearing to psecute the Court gave iudgment for 10^s a peece to bee allowed them, & if payment bee not made, execution to bee grauted them.

Samu^{el} Norman was Comitted for want of security, & was censured to be whipped, for saying if ministers w^{ch} come will but raile against England some would receive them./

[255] Katherine the wife of Samu^{el}: Finch p^{ro}missed to go to the ordinances, & to carry herself dutifully to her husband./

* First written Dampont.

† This marginal entry is in Rawson's hand.

‡ See Lechford's Note Book, p. 51.

M^r John Harrison appearing was fined 10s^r for his former not appearing, & admonished not to vse gameing./

John Palfin,* for was fined 20s^r & vpon his submission hee was remitted 10^r, & paid in the other 10^r. I. N.†

John Gibbons for was fined 10^r by the Governo^r Deputy, & Treasurer & paid it (to the Treasurer [oxi])‡

William Bartlet for distemperedness in drinking & lying was fined 20^r by the Governo^r Treasurer, & Secretary./

Ellen Peirce was fined 40sh^r for Cursing & wicked imprecations, & to pay the 2 witnesses 2^r a peece./

Elisabeth Chaulkley ¶ of Charlestowne|| was enjoined to give double restitution for the eggs & things wth shee stoale./

All townes had respit to bring in the transcripts of their lands vntill the nexte Courte./

M^r Gouch of Newberry for selling strong water wthout leave was fined 10s^r.

John Bayly was fined 5^l for buying land of the Indians wthout leave wth condition if hee yeld vp the land to be remitted./

Edmond Greenliffe was referd to Ipswich Courte.

Thomas Hale § was also referd to the Court at Ipswich./

The p^sentment of Ipswich for defective high wayes was avoyded for want of witnes, & for vncerteinty.

Goodman ¶oster & Henry Archer are referd to Ipswich Court.

Daniell Clarke is referd to Ipswich Courte also./

¶rancis Perry is referd to the Court at Salem.

John Elford & Willi: James had respite till the next Courte.

The wife of Hugh Burt was fined 40^r for cursing & swearing./

Adam Haukes is referd to the Court at Salem./

Edmond Audeley is referd also to Salem./

John Haule ¶ about correcting his boy was discharged./

Linn was fined 10^r for their bad wayes, & to mend them by the next Court, & to lay the ferry in a convenient place.

Rob^t Longe was discharged for want of qufe./

M^r John Woolrich & William Bachiler had respite till the next co^rt.

Charlestowne was discharged about Rich^d Lowdens lot./

* Palfin in L. copy.

† These initials of Increase Nowell are not in the L. copy.

‡ These four words not in L. copy.

§ Hall in L. copy.

¶ Haul in L. copy.

Thomas Cornehill * was fined 30^s for several offences selling wine wthout licence, & beare at 2^d a quart. hee had warning the 10th 4th m^o.†

Robert Turner was discharged for want of prooffe./

Boston was fined 20s^r for defective high wayes, & enioyned to repair them vpon the penulty of 5^s the stocks were ready compleate.

The widow Hudson was discharged, her husband being dead./

Roxberry was fined 10^s for daming vp the nearest way from Boston to Dorchester & had liberty till the next Court to make the way so as a loaden horse carrying a sack of Corne may passe./

Roxberry was fined 2^s 6^d for the defectiveness of the bridge at Muddy Ryver & had liberty to amend it till the next Courte.

The p^rsentment of the bridge at Dorchester brooke is discharged for want of prooffe./

Willi: Dennison & Thomas Wilson had liberty till the next Courte./

[256] Dorchester had liberty to vse Sergent Collicots house for a watch house./

The p^rsentments of Dorchester high wayes & bridges were discharged for want of prooffe./

Nicho: Ellen was fined 40s^r for idlenes & disorderly liveing & had liberty till the next court to settle himselfe./

Captaine Staughton was fined 40^s for releasing his man before the expiration of his time./

Waymoth was fined 10s^r for their bad way at the steping stones & were enioyned to amend it by the next Court vpon paine of 5^s.

Thom: White had 10s^r granted him being a witnes./

M^r Waltham & M^r Rich'ds were fined 5^s for want of scales & weights in their mill, & to q^rvide them by the next Courte.

M^r Waltham was fined 3^s for takeing too much tole in some aboute double what was dew, whearof 20^s to bee given the witnesses.

Ralfe Allen was fined 10^s for releasing a servant before the expiration of his time./

Hingham had liberty to vse their meeting house for a watch house.

Hingham was acquitted from the p^rsentment about Thom: Turners lot it being but reserved for him./

Dedham was fined 2^s 6^d for want of a paire of stocks./

fferdinando Adams was discharged the p^rsentm^t not beeing found opp^rssion./

* Cornell in L. copy.

† See Lechford's Note Book, p. 55.

Willi: ffuller, w^{ch} kept the mill at Concord was fined 3^l for grosse abuse in overtoaling./

The towne of Concord was discharged the lot* to Robert Edwards being but reserved for him.

Rob't ffletcher was discharged being not found faulty./

Concord was fined 5^s for want of a watch house.

Watertowne was fined 5s^s for want of a paire of stocks, & enioyned to prepare them by the next court, vpon paine of 40s^s./

John Gosse for comon railing was disfranchised, fined 20^l & comitted to prison./

Willi: Hamon not appearing attachment was granted for him.

Watertowne was discharged of the p'sentm^t for the high way to the mill for want of prooffe./

Watertowne is fined 10^s for the bad way at John Pages, & enioyned to make good the way vpon paine of 5^l./

Daniell Abbot is departed to new p'vidence./

Cambridg is fined 5s^s for want of a pound./

Cambridg is discharged from the p'sentment about stoping fish it being p'sently reformed./

John Masters having licence was discharged./

Cambridg was fined 10^s for defective high wayes, & enioyned to repair them by the next Court vpon paine of 40s^s./

Cambrige was enioyned to repair their wayes at long swampe & vine brooke leading to Concord vpon paine of 5^l./

The p'sentment of John Chairyes† wife was mistaken

425 The will of Joseph Harvy wth his inventory was delivered into the Court amounting to forty eight pounds 2^s & 9½^d.‡

The will of M^r Abraham Mallows was delivered in

M^r ||John|| Beniamin gave in the Account of Rich'd Gurling whereby onely 4^s appeareth remaining dew to widow Gurling.

[257] A Quarter Court held at Boston the 3th day of the 7th month @ 1639:

p'sent
The Governor
The Deputy Govr
M^r Endecott
M^r Humfrey
M^r Beltingham

John Stacy iunior for being distempered with drinke was set in the stocks.

Ralfe Warriner was fined 10^s for being at excessive drinking at Thom: Grays at Marble Heade./

* Of the lot in L. copy.

† Gayries in L. copy.

‡ 94 05 in L. copy.

M^r Saltonstall
M^r Winthrop, Junr
M^r Bradstreete
M^r Stoughton
Incr: Nowell.

Nicholas Merry was fined 40s^r for seling strong water.

John Neale for ruīng away and stealing was censured to bee severely whiped, & comitted to his master to bee kept chained./

Richard Wilson for stealing 8^l of money & diverse small things from his m^r Samuel Wade was censured to bee put fourth to servise for 3 or 4 yeares except hee can procure 10^l, also hee is to have a T set vpon his vpmost garment, the servise is to bee wth his m^r, if his m^r will have him, or else to bee put out by the Countrey./

M^r. Wades ser-
vant, Rich:
Wilson, [s^r.]

Rich^d Turner for being drunke was fined 20s^r./

Willi: Davies for sondry drinkings at his house was fined 3^l./

Robert Penyer is bound in 10^l to appear at the next Court. Thom: Turner & John White are bound in 5^l a peece for Peniars appearance.

Thom: Bushrode being accused of defaming the government was Comited & fined 6.13^s 4^d, w^{ch} paying to bee discharged./

Hugh Burt had 20^s of his fine remitted him, & pd in 20s^r & is discharged.

Marmaduke Peirce being accused of suspition of murther, & the matter not appearing cleare it was refered vntil the next quarter Court, & the Jewry was enioyned then to appeare.*

Daniell Clarke being found by the Jewry to be an imoderate drinker was fined 2^l whereof 3s^r was paid the Jewry, & the other 37^s pd I. N.

John Simpson was enioyned to pay Cap^t Jeanison 8^s, & M^r Browne 5s^r, haveing warned them to appear, & not psecuting./

John Wedgwood for being in the Company of drunkards was to bee set in the stocks at Ipswich./

Rich^d Cooke is granted 20s^r against Thomas Robinson for vniust molestation./

Jarvise Mudge appearing ^

John Pemberton being warned by John Baker to appear at the Court at Boston, & Baker not appearing to psecute, the Court granted John Pemberton 50s^r damage./

John Kempe for filthy vncleane attemp[t]s wth 3 yong girles was censured to bee whiped both heare, at Roxberry & at Salem very severely & was Comitted for a slave to Leif^t Davenport/

* See Lechford's Note Book, p. 139. Also Winthrop I. 818.

Willi: Andrews, who was formerly Comitted to slavery for his ill & insolent Carriage, is released (upon his good Carriage) from his slavery, & put to M^r Endecott hee promising to pay Henry Coggan 8^l, & so Andrews is to serve M^r Endecot the rest of his time.

Mathewe Edwards for puting his hand vnder a girles Coates was censured to bee whipped.

Thom: Knore for selling a potfull of strong water wthout license was fined 5s^r.

Nicholas Davison for swearing an oath was ordered to pay 20s^r, w^{ch} hee consented vnto.

John Hogg for his drunkennes was fined 10s^r.

John Kitchen for shewing books w^{ch} hee was comanded to bring to the Governo^r, & forbidden to shew them to any other, & yet shewed them to other was fined 10s^r.

[258] John Joanes for defleing his wife before marriage was fined 20s^r.

John Davies vpon his good Carriage was discharged from wearing the V w^{ch} was formerly enjoyned him./

Rich^r Silvester had 6^l of his fine respited vpon his good behaviour, & hee paid in the other 6^l./

Thom: Gray, for being drunke, prophaning of the name of god, keeping a tipling house, & drawing his knife in the Courte, was censured to bee severely whipped & fined 5^l.

Rich^d Redman & Thom: Warner, for quarelling were fined 5^r a peece, & paid it in./

John Lee is discharged of his fine haveing paid 5^l formerly

Rich^d Perry iunior was granted 5^l damages for the long wanting of the 27^l w^{ch} should have bene formerly p^d & was deferred vntill this weeke past, & the trouble about it.

M^r Thomas Lechford for going to the Jewry & pleading wth them out of Court is debarred from pleading any mans cause hereafter vnless his owne, & admonished not to p^sume to meddle beyond what hee shalbee called to by the Courte.* [ordered]

William Gutridge † was enioned to take Care of Ales Burwood vntill hee may bee lawfully discharged of her.

Thomas Millard, Ephraim Pope, ffrancis Gold ¶ & Thom: Burkbee ¶ being watchmen drinking severall times strong water were imprisoned, & Burkbee & were set in the stocks for being drunke.

* See Lechford's Note Book, p. 117.

† Gurtridge in L. copy.

Edward ffuller & Edward Convers were bound in 20^l a peece for the appearing of Edward ffuller at the next Courte./

[On pages 259 to 269 is the General Court record for Sept. and Nov., 1639.]

[270] the 31th of the 8th m^o, 1639 :

A Court held at Boston for small Causes not exceeding 20^u except for strangers

p^{re}sent,
The Governor
The Deputy Gov^r
M^r Bellingham
M^r Stoughton
& Incr. Nowell.

John Woolrige for his drunkennes was fined ten pounds whereof 8^l was paid mee In: Nowell, & 2^l is in the hands of M^r Coddington.

Rich'd Joanes for his Cheating, was censured to bee whiped, & put to the assigne of the party wronged to make satisfaction for the money w^{ch} hee did receive, & hath spent.

Edward Convers brought in Edward ffuller, & stands bound againe for him to appear at the next Court./

John Johnson is by order of Court freed from training paying ten shillings p annum to the company./

Thomas Marriner (servant formerly to Robert Smyth) is for the p^{re}sent discharged vnlesse his master hereafter can shew sufficient Cause to the Contrary./

Willi: Powell for resisting the surveyar is fined 40s^r./

John Clois is admonished to vse his servant Peter Tylls well, or else the said Peter to bee discharged, & to take course, that hee may bee taught his trade of a seaman by himself or others

M^r Israell Stoughton being formerly fined 40s^r is discharged of the same it being remitted because hee could not hould his servant having no Covenant./

Robert Penyar appearing his surety was discharged: but an attachment was granted against Penyar for going away vndischarged.

Edward ffuller & Thomas Sheppe for being distempered wth wine were enioyned to appear at the next Court./

Richard Penne not Appearing forfected his recognizance of ten pounds./

the 8th Day of the 9th month @ 1639

Thomas Symonds was enioyned to appear at the quarter Court about M^r Eatons house, & the Colledge.

Rob't Driver was enioyned to appear at the quarter Court./

Abraham Morell was enioyned to appear at the quarter Court./

Tacye for swearing was fined 10s^r w^{ch} M^r Trerice vnder-tooke.

[271] A Court of Assistants or Quarter Court held at Boston the 3th of the 10th m^o, 1639:

p^{re}sent,
the Governor
the Deputy Gov^r
M^r Endecott
M^r Bellingham
M^r Humfrey
M^r Saltonstall
M^r Winthrop, Jr.
M^r Stoughton
& Iner: Nowell.

M^r John Hogges * was remitted three pounds of his fine of five pounds.

An Attachment was granted against the wife of Sam: Finch for her appearance at the next Court./
Rich'd Pepper for his extortion was fined 5^l./

The towne of Roxberry for neglect of their order about swine was fined ten pounds: but they are to bee exempted, w^{ch} did endeavor to execute the order.

James Luxford being p^{re}sented for haveing two wives, his last marriage was declared voyde, or a nullity thereof, & to bee divorced not to come to the sight of her whom hee last tooke, & hee to bee sent away for England by the first opportunity, all that hee hath is appointed to her whom hee last married, for her, & her children, hee is also fined 100^l, & to bee set in the stocks an houre vpon a market day after the lecture, the next lecture day if the weather p^{er}mit, or else the next lecture day after.

M^r Samu: Maverick paid in 5^l of his recognisance of 10^l the other was respited, till it appear whether it may bee recovered from James Meadecalfe.

the Iury which went
vpon Peirce
Nicho: Willis
Robert Scot
John Button
Griffin Bowen
Willk: Dade
Steven Gooditch
James Garret
Robt Cutler
Willk: French
Thom: Brigham
Robt Saund's
Rog^r Shawe

Marmaduke Peirce being indited vpon
suspition of murther was found not guilty;
but was bound to the good behavio^r, & to appeare at
the next Court, & to pay the witnesses, & Nico: Davies
was bound in 20^l for his appearance./†

Elnor Peirce her husband was bound in 10^l for
her good behavio^r, & to bring her to stand in the mar-
ket place the next market day wth a paper for her light
behavio^r.

Quick was appointed to stand in the market
place wth a paper for her light behavio^r the next 5th
day.

a. Lewes Hewlet for his extortion was fined 20s^o,
& was bound over in 10^l to the next Court ||the
first month|| for his contemptuous speaches./

Jane Robinson for disorder in her house, drunkennes, & light
behavio^r was censured to bee severely whiped./

* Hoggs in L. copy.

† See Lechford's Note Book, p. 139. Also see Winthrop I. 318.

Margaret Hindersam* was censured to stand in the market place wth a paper the next market day, for her ill behavio^r, & her husband was bound in 5^l for her good behavio^r, & to bring her to the market place at the time appointed for her to stand there./

Thomas Dickerson was censured to bee severely whiped, & condemned to slavery./

Robert Penyar for his vnclean attempt, & his flying when hee should have appeared was censured to bee whiped./

John Vaughan is to appear at the next Court./

a. Isaac Deesbro is bound in 10^l to appear at the next Court at Salem, & at the next quarter Court at Boston.

a. John ffarrington is bound wth Deesbro in 10^l for his appearance./

[272] M^r Thomas Allen appearing was discharged the painting being before his time, & disliked of him./

8a. The towne of Salem, for not keeping Constant watch ||this su^mer|| was fined 10s^s./

An Attachment was granted against Ipswich because none appeared to answer for their defective wayes, & 10s^s costs./

Concord for not giveing in a transcript of their lands was fined 5s^s, & for neglecting their watch 10s^s./

Dedham for want of weights & measures was fined 5s^s.

Cambridge for defect of the way at Vine brooke & long swampe are referd to the former fine of 5^l.

And for want of stocks are fined 5s^s.

And for neglect of a constant watch are fined 10s^s.

442 Charlestowne meeting house is allowed for a watchhouse.

Linn for not keeping constant watch is fined 10s^s.

And for want of sealed weights is fined 5s^s.

And for not giveing in a transcript of their lands 5^s.

Boston for defect of their wayes between Powder Horne Hill & the written tree is fined 20s^s & enioyned to mend them.

Dorchester for not bringing in a transcript of their lands are fined 5s^s.

Waymoth for want of a sufficient watch house is fined 5^s.

And for neglect of keeping constant watch is fined 10^s.

And for not delivering in a transcript of their lands is fined 5s^s.

* Hindersham in L. copy.

And ¶Waymoth¶ for not looking to the execution of their order about swine Waymoth is fined 3^l.

Hingham for not making sufficient fences is fined 5s^e & hath time to mend their fences till the 4th month./

And for defect in their high wayes are fined 10s^e.

And for not keeping Constant watch Hingham is fined 10s^e.

Leif^e Duncan is appointed to take an Inventory of the goods of Sarah Lishe — to pay the legacies, & to keepe the rest till further order./

The Governo^r had leave to keepe a Naviganset * Indian, & his wife./

[273] A Courte held at Boston the 30th of the 11th m^o 1639:

<p>present, the Governo^r the Deputy Gov^r M^r Bellingham M^r Humfrey & Increase Nowell.</p>	<p>William Waltham for being drunke aboard the ship called the Bristowe Marchant, w^{ch} hee confessed was fined twenty shillings it being the first time that hee was knowne to bee drunke, & so was seriously admonished, & dismissed. ¶This 20^e was paid in </p>
--	---

John Vaughan haveing defiled & refused to marry her was Comitted to prison till hee should give sufficient security to pvide both for the mother & the Child, or marry her whom hee hath defiled./†

A Court of Assistants held at Boston for a Quarter Court the 3th day of the first month 1639-1640:

<p>present, the Governo^r the Deputy gov^r M^r Bellingham M^r Humfrey M^r Winthropc Jun^r: M^r Saltonstall M^r Bradstreete M^r Stoughton & Incr. Nowell.</p>	<p>Rich'd Pepper his fine of 5 pounds is remitted to 6^e 8^d w^{ch} hee paid</p>
--	--

Thom: Davenport for huring John Parish to cast baules of paste wth Copperas in them, & cast it into a mans yard was admonished seriously to take heed of doing the like.

There is ten pounds delivered the Governo^r by one that had failed by taking too great prizes for his Comodities ¶hee¶ hav^e. satisfied the parties whom hee sould the Comodities vnto./

Thom: Blumfeild is appointed administrato^r to his father John Blumfeild deceased & to have the house & ground, & the lame daughter to have the overplus of the goods not disposed of./

the will & inventory to bee recorded./

* Narhiganset in L. copy.

† These last seven words not in the L. copy.

Samu: Basse his fine of 5^l vpon his petition was remitted him

Micha: Iver being called, & not appearing forfeited his recognisance.

This Courte gave way to the Governo^r to free his servant Thom: Philips so far as they have power.

Hester Ketcham is freed from her servise wth her m^r John Woolrige, & the said m^r enioyned to give Ketcham 20s^a charges & the said m^r, John Woolrige, is bound to his good behavio^r, & enioyned to appear at the Court the 7th m^o next, & to put in sufficient caution for the good behavio^r & appearance.

M^r John Coggan had authority given him to receive of M^r Willi: Tyng 9. 8s^a for w^{ch} M^r Coggan is to free M^r Ting as the Court shall direct, & bee responsall for the same./

John Knight is bound in 5^l to appear at the Court at Boston the 2^d month.

John Dunvard bound his land, & 20^l more to appear at the next Court.

Lewes Hewlet, not appearing forfeited his recognisance of 10^l.

Isaack Deesbro & John Farrington forfeited their recognisance.

Marmaduke Peirce appearing was discharged being enioyned to pay the witnesses as hee should bee able.

M^r Henry Seawall for his Contemptuous speach & carriage to M^r Saltonstall was enioyned to acknowledge his fault publicly at Ipswich Court, & to bee of good behavio^r, & was enioyned to appear at the next quarter Court vnles the Court of Ipswich do release him from the good behavio^r & from his appearance at the quarter Court. hee bound him selfe in 66^l 13^s 4^d for his appearance & good behavio^r./

[274]

The 30th of the 2^d month @ 1640

A perticuler Court held at Boston for small Causes.

<p>present, The Governo^r The Deputy Gov^r the Treas^r: M^r Bel: * M^r Stoughton & Increase Nowell.</p>	<p>Thomas Buckmaster being in distres is granted thirty bushells of corne, & money to make it vp ten pounds, w^{ch} was appointed to be paid him by the treasurer.</p>
---	--

John Clare is fined 20s^a for being drunke, w^{ch} Christofer Grant vndertooke to satisfy.

John Pope for his unchast attempt upon a girle, & dalliance wth maydes, & rebellios or stubborn carriage against his master was censured to bee severely whiped.

* M^r Bel: not in L. copy.

John Danvard being accused of uncleannes was bound in 20^l to appear at the Court the 4th month vnles hee avoyde out of Waymoth before that, & to pay the Cunstable 20^s for witnesses.

George Palmer having comitted folly wth Margery Rugs through her allurement, because hee confessed voluntarily, hee was onely set in the stocks, & so dismissed.

Margery Rugs for intiseing & allureing George Palmer was censured to bee severely whiped.

Charles towne haveing chosen Rob't Longe to sell wine this Court doth alow him till the quarter Court.

Boston haveing chosen William Hudson to keepe an ordinary this Court doth alow him till the quarter Courte.

Nathaniell Travell appearing was admonished to acknowledg his offence in his scandolos & slaunders speeches of severall psons, wth hee promised to do, & to take advise, & so the Court discharged him upon triall./

[Pages 275 to 280 contain the record of the General Court 13 May, 1640. Page 281 contains lists of freemen for May and September, 1640.]

[282] . At a quarter Court houlden at Boston the 2th day of the 4th m^o
@ 1640:

present,
M^r Deputy Bel.,
M^r Winthrop, seni
M^r Endecott
M^r Humfrey
M^r Winthrop iuni
M^r Saltonstall
M^r Stoughton
Incr. Nowell.

Leonard Bowtle* for neglecting to obey a warrant served by the Cunstable was fined 10s^s./

M^r Browning for seling strong water was fined 5^s with: to ha: 2^s of it

M^r Tynge & M^r. Davison are desired to examine the accounts between M^r Joanes & M^r. Mayhewe./

Muddy River The Charge of Muddy ryver bridge
bridge.† being 15^l 3^s 6^d was ordered to bee allowed

as followeth By Boston, 6^l: by Roxberry 5^l: Dorchester 1^l 7^s 8^d Water-
towne 1. 7. 11^d Cambridge 1^l 7^s 11^d./

George Hurne is Comited to bee layd in yrons & to bee whiped to morrow for his insolent & contemptuous carriage.

John Hogge not appearing ^

James Davies for his unquietnes wth his wife was enioyned to appear at the next Court of Assistants.

* Buttolph in L. copy.

† In modern hand.

Henry Chapman for not obeying a presse was fined 5s¹.

M^r John Woodbridg is discharged of his p^rsentment for releasing a servant paying 2^s 6^d.

Robert Tucker for upbraiding James Brittain calling him lyar, & saying hee could que him so being a witnes, was fined 20^s, & enioyned to acknowledg the wrong hee had done Brittain.

M^r Peter Bulkeley is granted the Corne of Alexander Thwayte & to bee responsall for it if hee come to answere the suite./

Willi: Powell for his sinn in geting his wife wth child before marriage was fined 40s¹. Deniing it often, & [a]* confessing.

Thom: Gray was censured to bee severely whiped for his drunkennes & other misdemeanoⁿ at Marbleheade, wth M^r Endecot tooke the Care of by undertaking it.†

gooddy ffinch was censured to bee severely whiped to morrow, & so kept in prison./

Thom: Savory for breaking a house in the time of exercise was censured to bee severely whiped, & for his theft to bee sould for a slave vntil hee have made double restitution.

Henry Allein & Clement Weaver for drunkennes were fined 10s¹ a peece.

M^r Barnard for giveing a gallon of strong water amongst certain persons at worke at his house wherof Allen & Wever were two was fined 3¹.

Rob^t Abels busines is refered to M^r Stoughton to inquire.

Elisabeth Lovel was admonished for her imodest exp^rssions, enioyned to pay the witnesses, & so was dismissed./ ‡

John Downham for geting his wife wth child before marriage was fined 20s¹./

Hingham being p^rsented for defective wayes & bridge, & the Court being certified by hen: Smyth that they are mended they were fined 2^s 6^d, & discharged./

Edward Converse was fined 10^s because the ferry had bene neglected./

Thomas Bell being settled since the p^rsentment is respited.

the way of Dorchester being p^rsented is deferd to veiwe.

M^r Rich^d Duffier for want of weights & scales [wth] were supplied 5¹.

* After in L. copy.

† See Lechford's Note Book, p. 149.

‡ These last nine words not in L. copy.

Neweberry for want of towne weights & measures fined 6. 8^d.
Salem for neglecting their watch was fined 10s^r:

[283]

The 30th of the 5th m^o 1640

present,
the Governor
the Deputy go:
M^r Winthrop, se:
M^r Stoughton
Incr: Nowell.

John Tower for his disturbance of the peace &
his offence thereby against the Common welth is fined
five pounds:

Two indian weomen were adiudged to bee whiped
for their insolent carriage, and abusing M^{rs} Weld./

Elisa: Bennet was censured to bee whiped for her unchast mis-
carriage

M^r John Hogges for his drunkennes is fined five pounds

John White is bound in 10^l for to bee of good behavio^r, & not to
come into the Comp^a of Bulls wife alone, & to appear at the quarter
Court the first 3th day of the 10th m^o next

John Wily & George Orrice bound themselues in 5^l a peece for
the forenamed John White

Hope the Indian was censured for her runing away, & other
misdemeano^r to bee whiped hear & at Marble heade.

Isaack Hart bound himselfe in 20^l to bee of good behavio^r & M^r
Robt Saltonstall bound himselfe in 10^l for the said Isa: Hart his good
behavio^r till hee dept out of the plantation, or bring a note frō
that hee is free from fear.

Joell Jenkin is bound over to the next gen^lall Court for geting his
m^r. his daughter wth child:

The 20th of the 3th m^o @ 1640

present,
the Deputy go:
M^r Winthrop, se:
Increase Nowell.

Henry Illery being drunke the night before, &
calling Walter Merry knave, & saying further to
him a member a dog hee was fined 10^s, & to go
to prison till hee have paid it./

John Barnes likewise: for being distemped with wine was fined 10s^r:

Daniell Hutchins bound himselfe in 10^l to appear at the Court to
answer for neglect of the 2 children in the ship, wth were comited to
him./

Willi: Kilcup & Rich: Haines bound themselues in 5^l a peece for
the appearance of Dani: Huchins.

6th m^o 27 Henry Bright tooke his oath for to discharge the place of
survayar of the armes in Watertowne this year, & till a new bee chosen.

M^r Samu: Winslew * is sworne surveyar of the armes at Colechester.

John Gosse had ten pounds of his fine of 20^l remitted.

John Burrows for going into other mens houses in the night & upon the lords day in the time of exercise was censured to bee whiped./

the 8th Day of the 8th m^o 1640

John Knight for his drunkennes swearing, & other disorder was censured to bee severely whiped./

Daniell Houchens † having given satisfaction to the father of the children w^{ch} were neglected is freed from his attendance at the Courte any further./

15. John Davies, & Henry Messenger are bound in 20^l a peece, & each for other to appear at the next generall Courte.

John Crabtree Willi: Hudson & John Hill ‡ bound themselues in 20^l a peece that what shalbee adiudged by the Courte to bee overpaid shal bee returned to M^r Hibbens./

[On pages 286 to 292 is the record of the General Court for October, 1640.]

[293] A perticuler Court held at Boston the 29th 8th m^o 1640 :

present,
the Governor
the Deputy Gov^r
M^r Winthrope, sent:
M^r Isra: Stoughton
& Incr: Nowell.

Henry Edwards, & Willi: Hudson are discharged from their recognisance./

Beniamin Pauly for his distemper wth wine was ordered to pay 10^s, & paid in the same./

Nicho: Davison byll of 200^l being delivered into the Court by Sill was ordered to bee kept by the secretary.

Joseph Shawe & Nicho: Byram are granted administration of the goods of Abraham Shawe deceased./

Willi: Hamond deposed that Edmond Greenliffe served him wth warrants to appear at two Courts, & causing him to appear did not psecute. Hamond was granted against the said Greenliffe 20^s.

John Porter, John Ottis, Thom: Minard, & Natha: Baker being called to bee witnesses were granted 6^s a peece & Graves § 1^s all to bee paid by the Country./

John Dutton for swearing, stealing, & drunkennes was censured to bee severely whiped./

John Parker was granted 20^s against Thom: Clay for not psecuting, causing him to attend 3 dayes wth witnesses./

* The final w seems to have been cancelled. It is Winsley in L. copy.

† Hutchins in L. copy.

‡ John Hill not in L. copy.

§ Or Geaves.

Attachment was granted to Thomas ffowle against Thomas Owen to attach such goods as are in his possession for performance of his bargaine of corne./

It is ordered M^r Stoughton should heare busines betweene Rich'd Lange, & the towne of Waymoth, & M^r Stoughton hath power to call for the towne booke, & make report to the co't if the cause do require it./

[294] A quarter Court held at Boston the first day of the 10th m^o
1640

present,	The towne of Cambridge upon qufe that the way
M ^r Governor	at vine brooke & long snap * was repaired before the
M ^r Deputy	declaration of the defect was discharged of the fine
M ^r Winthrope, seni:	of 5 ^l .
M ^r Humfrey	
M ^r Saltonstall	Watertowne ffreemen promising to yeld to ev ^{ry}
M ^r Winthrope, juni:	townsman his qportion alike according to rule, w th out
M ^r Stoughton	respect to freedome or not freedome were dismissed
& Increase Nowell.	

George Richardson is bound to the good behavio^r in 20^l, & to appear at the quarter,† the 10th m^o 1641. Henry Curtis & Willi: Knope are bound for George Richardson [in 10^l.]

Giles Player haveing taken from the deputy governo^r a boate & other things of 15^l valewe, & from Leift Davenport the worth of 5^l hee is co^mmitted to them till they bee satisfied./

Joell Jenkin upon his repentance was discharged./

Rob^t Rendall is deferd till the next quarter court./

The towne of Braintree were enioyned to make their pound, stocks, & watchouse by the quarter court in the first month.

Dorchester, & Roxberry the bridge, & way being repaired were discharged./

Boston the wayes being newe layde out had time to repair them between powder horne hill & the written tree till the ^A

M^r Thomas Lechford acknowledging hee had overshot himselfe, & is sorry for it, q^mising to attend his calling, & not to meddle wth controversies was dismissed.‡

Willi: Bartlet the pilfering not being q^{ue}ded was discharged
newe su^mons was to bee sent for Robert Bartlet./

Charlstowne meeting house was formerly allowed for their watch house./

* So in the original. *Swamp* in L. copy.

† Cort in L. copy.

‡ See Lechford's Note Book, pp. 117, 176.

Samuell Dunkin there being a mistake in the presentment as appeared by the witnes was discharged./

Concord & Sudberry in regard of the snow were deferd till the quarter Court in the first month./

Willi: Wake was councelled to go whom * to his wife, & upon his promise so to do, his repentance, & testimony of his good behavio^r hee was discharged./

Salem.† Salem meeting house is allowed for their watch-house.

Robert Crosse is remited to Ipswich Court./

James Hubberd is discharged the hurt being little, & done unwitting the other pressing in upon him./

Linn was enioyned upon paine of 10^l to repair their wayes by the quarter court in the 4th m^o next./

Linn.† Linn meeting house is allowed for their watch-house.

Rowley p^sentments are deferd till the quarter court in the next first month.

Colechester p^sentm^{ts} are deferd till the quarter court the first month.

Hampton p^sentm^{ts} are deferd till the quarter c^t p^o m^o.‡

Hingham.† Hingham meeting house for the p^sent is allowed for their watch house.

Christopher Batte for selling his servant his time is referd to the Court at Ipswich.

It was ordered that John Twogood should bee sent to his dame the wife of Thomas Marshfeild at Conecticot by Rob^t ffen, the father of the said Twogood haveing put him a servant to Tho: Marshfeild.

[295] the comission about M^r Edmond White & M^r Woolcote § is renewed for M^r Deputy Bellingham, Incr: Nowell, & M^r Thomas Mayhew to examine the accounts.

M^r Collens, M^r Sparhauke, & goo: Bridge ¶ are desired to heare businesses betwen John Smyth, & his father Jeremy Norcros, & examine accounts, & settle things if they can, if not to make report to the Courte, if there bee cause./

Henry Stevens for fiering the barn of his m^r, M^r John Humfrey hee was ordered to bee servant to M^r. Humfrey for 21 years from this day toward recompencing the losse./

* Home in L. copy.

† In modern hand.

‡ Quarter Court the first moneth in L. copy.

§ Wolcott in L. copy.

¶ John Bridge in L. copy.

Samu: Hefford * having bene much misused by his m^r. Jonathan Wade hee is freed from the said M^r Wade, & is put to John Johnson for three yeares, & to have 6^s wages p @, & for the other 1½ years it is referd to the court./

Rich'd Nicoles case is referd to the Court at Ipswich

Daniell Bacon is granted 10^s costs against Rich: Neve because hee served him wth a warrant, & psecuted not./

George Rich'dson is granted 10^s costs against James Smyth hee haveing served him wth a warrant psecuted not.

Jonathan Wade is bound in 40^s to bee of good behavio^r:

M^r Rich'd Parker for seling ½ lb or ¾ lb of gunpowder|| to an Indian|| being ignorant of the law against it is respited til the gen'all co^rt.

M^r Henry Webbe his man Roger T[o]le for seling 2 lb of gunpowder to an indian not knowing the law is respited till the gen'all co^rt

John Stowe for seling shot || to an indian || not knowing the law is respited

M^r Thom: Clarke his man seling 8 lb of shot to an indian is respited

Rich'd Collecot forgetting the|| law|| against mending indians guns haveing got 2 of their locks to bee mended is respited for his fine till the next gen'all co^rt

Micha: Willis is discharged being ignorant whose the locks were./

M^r Henry Waltham his sonne being lately dead, & hee discovering his sonne had given 3^s to the publike though no other knew of it was discharged./

goo: Button is alowed 10^s 8^s 9^d for the charge wth Tho: Evans.

Bewet, for
heresy, ban-
isht. the Jury found Hugh Buets† to bee guilty of heresy,
& that his person & errors are dangeros for infec-
tion of others.‡

It was ordered that the said Hugh Buet should bee gone out of o^r iurisdiction by the 24th p^rsent upon paine of death, & not to returne upon paine of being hanged./

the Court granted the iury 12^s for their servise

Jury y ^e tried Buets.	the names of the Jury that tryed Buets
	Edward Rainsford John Rugells
	James Browne Griffin Crofte
	John Martin Isaack Johnson
	John Haule Jonathan Negus
	Thom: Goble Rich'd Trusdell
	Daniell Brewar Christo: Gibson

* Hefford in L. copy.

† Buett in L. copy.

‡ See Winthrop II. 19.

It was ordered that Alexander Beck should have 24 bushels of corne for Mary Joanes for the time past, & for the time to come a bushell of corne a weeke, & to have two blankets & a rug to keepe her warme./

[296] A Court at Boston the 28th 11th m^o 1640.

present,
the Governor
the Deputy gov^r
M^r John Winthrop
se:
M^r John Humfrey
M^r John Winthrop,
in:
& Increase Nowell.

The will of Ann Bunting was given in, & the witnesses depo: * ^

John Holland Edward Brecke, & John Sherman being returned for Iury men, & not appearing when they were called they were fined 5^s a peece.

The will of † George Alcock was given in & the witnesses deposed, & also the praisers of the inventory

were deposed.

Thomas Hawkins for his scurrillous speeches was enioyned attendance, but upon the petition of the gentlemen hee was remitted./

Samuell Haukes for swearing, cursing, lying, theft, & unclean speach, was censured to bee set an houre in the stocks to morrowe & have a cleft stick on his tongue while the Court thinks meete, & was committed the meane while./

William Carpenter being chosen cunstable of Waymoth for the year ensuing tooke his oath to that place belonging./

John Hogg for his drunkennes, wastfulnes, & idlenes was censured to bee committed to Leift Davenport till the next Court./

Walter Knight forfected his recognisance of 5^l by not appearing

Thomas Dexter forfected his recognisance of 5^l being bound for the appearance of Walter Knight, who appeared not

M^r. James Parker is allowed to marry Thomas Clifton & Mary Butterworth wthin a month:

Ordered by consent of Henry Waltham marchant, & Welthia ‡ the wife of Thomas Richards of Waymoth that all matters in difference hereafter mentioned shalbee referred to M^r Neweman, M^r Parker, & Edward Bates, of the same towne, who by this Court have power, or any two of them to appoint a miller to keepe the mill for both parties: to set downe an equall valewe for the rent of M^r Walthams part of the house, w^{ch} shée is to enioy till her husband returne (if hee returne this summer) & to heare & determine all accounts, & reckonings betweene them, for w^{ch} end they, or any two of them have heareby authority to

* Deposed in L. copy.

† Mr. in L. copy.

‡ Welthian in L. copy.

examine witnesses upon oathe, this to bee in force till the next Court of Assistants.*

[That part of the Library copy which is of records of a later date than the above, 28 Jan., 1641, appears to have been made, in part at least, by Samuel Symonds. See Transactions Colonial Society of Massachusetts, Jan., 1898 (page 144).]

[297] A quarter court held at Boston the 2th day of the first m^o
1640-1641 †

present,
the Governor
the deputy go:
M^r Winthrop se:
M^r Endecott
M^r Humfrey
M^r Saltonstall
M^r Winthrop lu
M^r Stoughton
M^r Bradstreet
Inere: Nowell

Christopher Graunt for his cruell usage of his
servant Nicholas Gilberd was fined ten pounds, &
bound to his good behavio^r

Garret Church & John Stebben bound themselves
in 20^l a peece for Grants good behavio^r till the next
quarter court

Robert Stedman a iury man not appearing was
fined 6^s. 8^d.

John Hogg upon the security of Samu: Grames, & Thomas
Munte they haveing the goods in their possession for their security
w^{ch} hee was let have to keepe till hee went for England, & then to
deliver them to his use./

Walter Edmonds being chosen cunstable of Concord did take his
oathe

Susan Starr is granted administration of the estate of her husband
Thoma: Star, & the inventory of 49. 6. 9^d was shewed in co^rt

Rich^d Hollingworth upon occation of the death of Rob^t Baker
was fined 10^l: to bee paid to the wife, & children of the said Rob^t
Baker his negligence being the occation of his death.

Rob^t Bartlet appearing, & there appearing a mistake in the
p^rsentment hee was discharged

Robert Rendall being tryed by the grand iury was not found
gilty

Henry Palmer bound himselfe in 40^l for his wifes good behavio^r &
appearance at the next quarter co^rt when free from being w^{ch} child, &
fit to come abroad./

M^r John Morecroft is fined 20^l for his unfit carrige, & bound to
his good behavio^r.

also the forenamed John Morecroft is to pay 20^l of the 40^l w^{ch} hee
forfected for want of Will: Bell his appearance ‡

* See Lechford's Note Book, p. 195.

† See Mass. Hist. Soc. Coll., 4th Series, Vol. 7, p. 308.

‡ See Winthrop II. 43, mentions presentment of Governor Bellingham.

Walter Knight appearing was fined 10^l for his rude speeches and contemptuous [^] For security hee made over a bill of 11^l

Rich'd Ponton is put to John Reade for 8 yeares from the first of the 11th m^o last past with his owne consent.

John George is put to M^r John Winthrope seni: for 8 yeares with his owne consent./

An attachment was granted against Nicholas Bacons cattle for the payment of his rent to M^r John Coggan./

sumons & attachment was granted ag^t the estate of Jn^o Sampson.

the difference between M^r William Tynge & M^r Robert Tompson is referd to the arbitrement of M^r ffoule & Capt. Gibons.

M^r Rich'd Dumer had his fine of 5^l remitted the p'sentm^t being upon a mistake as was testified:

Thomas Carter Senio^r, & Edward Joanes being chosen Cunstable for Charles towne did take the oath appointed for that place

John Johnson of Roxberry is freed from training in regard of other publike servise wthout any pay to the Company./

[Blank space.]

Thomas Foxe was enioyned to pay 5^l or appear at the next court./

[298] A Courte at Boston the 29th 2^d m^o 1641:

present,
the Govern^r
the Deputy gov:
M^r Winthrop sen:
M^r Humfrey
Increase Nowell.

Rich'd Wilson for his grosse abuse of his m^r.
Thom: Cheesholme in base revileing speeches, & refusing to obey his lawfull commaunds was censured to bee severely whiped

Edward Page it being testified that his m^r. confessed hee was not to bee turned over, nor serve his wife if hee dyed the said Edw^a was freed by the Courte./

M^r Joseph Kinge for uncomely & obscean speeches was sharply reprehended, & for distemper in drinking wine hee was fined fourty shillings to bee paid wthin ten dayes to the treasurer

M^r Henry Pitts for his uncomely speeches & obscean was sharply reprehended, & for distemper in drinking wine hee was fined fourty shillings to bee paid to the treasurer wthin ten dayes.

William Browne for his obscean, & filthy speeches was sharply reprehended, & admonished not to use such base speeches./

Samu: Sherman was enioyned, & qmised to appear at the next Court./

Thomas Turner, Thom: Collier, & John Sutton bound themselves in 40^l a peece to appear at the next court, to answer for the things taken up of John Hardies rack.*

Thomas Baguley, for seling his servant his time contrary to order of court was fined ten shillings./

Mighill Bacon sen' upon the certificate of Rich'd Beres, Hugh Mason, Willi: Williams, & Thomas Hastings, that full satisfaction hath bene given was discharged, it being declared to bee a mistake of ignorance./

[Blank space.]

John Barnes for some distemp in drinking wine, was required to give 10^s, w^{ch} hee consented vnto.

A quarter Court held at Boston the first of the 4th m^o 1641:

psent,
the governo^r
the Deputy govr
M^r Winthrop
M^r Dudley
M^r Saltonstall
M^r Humfrey
M^r Bradstreet
M^r Winthrop in
M^r Stoughton
Increase Nowell.

Edward Johnson of Charlstowne being warned to serve upon the iury (& not appearing) was fined 6^s 8^d:

James Dane for makeing an indian drunk was fined 20s^e.

M^r John Longe for his distemper in drinking & giving wine to others is fined 3^l.

A warrant was ordered to to examine all that tooke up any thing of the rack,* & send a perfect inventory, & in any thing doubtfull they are to take the advise of M^r Peck minister & M^r Newmā

John Whitney was chosen Cunstable of Watertowne & tooke oath

There was granted to Goodm Nutt, Marten Vnderwood, John Whitney, Henry Kemball, & John Witheredge allowance for 83½ y^d of cloth valewed at 12^d p y^d

Joane Abell being p'sented for being drunke it being found to bee a mistake shee was discharged./

M^r Edward Tomlins retracting his opinions against singing in the churches was discharged

Thomas Patience for want of prooffe was referred to M^r. Endecot

Edward Adams was enioyned to returne to his wife./ & being questioned for other things was discharged for want of goffe.

the towne of Roxberry is enioyned to make a sufficient way between the buriing place & the gate upon paine of 20s^e forf:

* Wrack in L. copy.

Roxberry is also enioyned to repair the other way over the swamp toward Dorchester mill upon paine of 20^s forfeitt.

Ipswich was enioyned to repair their wayes by the next q^r^r Court upon paine of forfeiture of 10^l for the way to Salem. for theyr way toward Rowley they have 6 months to repair it./

[299] Cambridg was certified to have repaired the way tow'd Conc'd.

Cambridg for the way between Watertowne & Roxberry is inioyned to repair it wthin 6 m^o upon paine of 3. 6. 8^d.

Waymoth defective way is certified to bee mended./

Salem is enioyned to amend the short swampe wthin a month & the other wayes wthin 6 months upon paine of 5^l.

Boston in inioyned to mend their wayes upon paine of 20^s.

Watertowne is discharged. & Liñ is discharged./

Salsberry was enioyned to amend their way upon paine of 20^s.

Salsberry for want of weights & measures is fined 2. 6^d.

Rowley was enioyned to mend their way vpon paine of 20^s wthin a month./

Dorchester way to bee mended vpon paine to forfeit 20^s.

Hampton for want of weights & measures is fined 2. 6^d.

Concord to pay 10^s for neglecting watch & not appearance.

the wife of Rob't Lewes * for her dishonoring the name of god was censured to bee whiped./

Enoch Hunt for his opp'ssing practice & extorsion was enioyned to make restitution, pay the witnesses, & was fined 3^l.

Waymoth is remited the 3^l fine about neglecting their hogs.

Roxberry is remited the 10^l fine for neglecting their hogs.

Rob't Lewes & John Madox were discharged the p'sentm^t being mistaken, their answer being iudged reasonable.

Jonathan Thing for ravishing Mary Gree[n]feild was censured to bee severely whiped heare & at Ipswich [& fined 20^l to bee paid in three yeares to Sam: Greenfeild.] †

Cambridge was enioned to give Squa Sachim so much corne as to make up 35 bushels, & 4 coates for the last year, & this.

Christopher Grant appearing was discharged frō further appance

John White appearing was discharged

John Skidmer is fined 10^s for seling strong water to Indians

Abraham Morrell is fined 5^l for seling his servant his time

Samu: Sherman is fined 20^s for sel^s his servant his time

* Lewes in L. copy.

† This part within brackets not in L. copy.

the wife of Rich'd Carter appearing shee was admonished, & enioyned to bring her husband to bee bound for her good behavio'

Willi: Pilsberry & Dorothy Crosbey were bound to the good behavio', & to appear at the next Court bound in ten pounds

& hee was enioyned to ¶ worke wth ¶ goo: Wiswell 2 dayes in the weeke & goo: Cheny one day in the weeke for five yeares:

M^r Bu'slin was referd to the Court at Salem

Davy * Hickbourne for his grosse misdemeano', & foule miscarriage was censured to bee severely whiped, to weare an iron collar till the co't please, & serve his m^r 3 weeke longer for lost time, & trouble of his m^r.

M^r John Longe bound himselfe in 20^l to bee of good behavio', & to appear at the next quarter court./

John & Elnor Peirce were admonished to see better order bee kept

Willi: Knop for selling bear 2 years unlicensed was fined 5^l.

Alexand^r Becke was granted 8 bushells of corne more then a bushell a weeke for his trouble wth Mary Joanes.

Henry Webbe & George † Stoader cunsta: of Boston had granted them power to gather in the estate of Paul Yonge, & to pay the debts, & to give account:

John Barnes was enioyned to pay 10^s, or appear at the co't to answer for a second distemp in drinking too much, w^{ch} hee not appearing is to pay.

[Pages 300 to 312 contain the record of the General Court for June, 1641.]

[313]

the 29th 5th m^o @ 1641

present
the Governor
the Deputy
M^r Winthrop
M^r Dudley
M^r Humfrey
M^r Stoughton
Incr: Nowell.

At a co't at Boston George Bowen being absent when hee was called to serve upon the iury, was fined 5s^s.

James Laurence for goeing out of his m^r. his house in the night unseasonably ag^t his exp^{sse} order was censured to bee sharply whiped & also for keeping company wth a leaude woman./

William Pilsberry for defileing his m^r. his house was censured to bee whiped./

Dorothy Pilsberry was censured to bee whiped for her uncleannes, & defileing her m^r. his house./

* David in L. copy.

† George, changed to Anthony, in L. copy.

Mary Osborne for her grosse miscarriage in giveing her husband quick silver, & other abuses was censured to bee severely whipped./

Mary ffelton the wife of Beniamin ffelton for her severall thefts frō M^r Webbe, M^r Parker, M^r Stoader, & M^r Eldreds man to the valewe of 8. 15. 11^d the things were restored, & her husband undertooke, & bound himselfe to restore the valewe of the goods taken away to each of them./

[Blank space.]

[314] A Quarter Co^t at Boston the 07th 7th m^o 1641

present,
the Govern^r
the Deputy go:
M^r Winthrop, se:
M^r Dudley
M^r Humfrey
M^r Saltonstall
M^r Stoughton
M^r Bradstreete
Incr: Nowell

Thomas Carter senio^r Cunstable of Charltowne is fined 6. 8^d for warning the iury men too late & for a rong day, w^{ch} was two dayes too late.

Edward Larkin being warned to serve upon the iury, & not appearing is fined 5^s: || This fine is remitted, the Cunstable mistaking, & warning for a wrong day.||

The rates of wharfige & litrige are referd to the gen^lall Court, to bee brought in by the towne of Boston:

Willi: Wells is enioyned in 10^l to answere for opp^{ss}ion

M^r Nicholas Trerice for his miscarriage in Court, is fined fourtye shillings

Thomas Owen for his adulteros practises was censured to bee sent to the gallos wth a roape about his neck & to sit upon the lather an houre the roapes end throwen over the gallos & so to returne to prison

Sara Hales the wife of Willi: Hales was censured for her miscarriage to bee carried to the gallos, wth a roape about her neck, & to sit an houre upon the lather the roaps end flung over the gallos, & after to bee banished.

Willi: Lampson hath liberty to fell 300 trees, on the other side of Chebacco, so it bee not in the limits of any towne

Anthony Stoader confessing his fault in his unfitting speach to the governo^r in affronting of him is fined 13^½l.*

Captaine John Vnderhill being indited upon o^{cl}amation no witnesses comeing in hee was acquitted.†

John Kilmaster, John Knop, & John Knight for their distemper were admonished, & dismissed./

M^r Samuell Maverick being found guilty of a confederacy wth Thom:

* See Winthrop II. 88.

† See Winthrop II. 12, 41.

Owen to breake prison, consealing of it, & letting bee upon his iland was fined one hundred¹:

M^r Chidley for confederating & consealing was fined 13 $\frac{1}{3}$ ¹.

M^r Ducket for confederacy & consealing was fined 26 $\frac{2}{3}$ ¹.

M^r Wollaston for consealing being privy was fined 13 $\frac{1}{3}$ ¹.

M^r Oateley for consealing was fined 13 $\frac{1}{3}$ ¹.

Thorne for consealing hideing & suppliing was fined 6 $\frac{2}{3}$ ¹.

Willi: Cope for consealing was fined 6 $\frac{2}{3}$ ¹.

Mary Wilbee for consealing & consenting was fined 6 $\frac{2}{3}$ ¹.

Thomas Owen for ^{escaping out of} ~~breaking~~ prison was fined 20¹ to bee paid wthin a weeke, or to bee severely whiped.

Sara Hales for escaping to pay 13 $\frac{1}{3}$ ¹ or be whiped & banished

M^r Dutchfeild, M^r Williams, & M^r Hale were admonished to take heede of the like consealment.

M^r William Collens being found to bee a seducer, & his practices g^oved such, hee is fined one hundred pounds, & to bee kept close prisoner till his fine bee paid, & then hee is * banished upon paine of death.†

Francis Hutchinson for calling the Church of Boston a whoare, a strumpet, & other corrupt tenents,‡ hee is fined 50¹, & to bee kept close prisoner till it bee paid, & then hee is § banished upon paine of death.†

Margery Mathew¶ widow of Thom: Mathew¶ is allowed to sell her husbands house, land, & goods toward paym^t of her husbands debts, reserving her necessary cloaths & beding, w^{ch} were hers before marriage being g^oply her owne./

[The next record of the Court of Assistants in the L. copy is of the date 28 Oct. 1641. The record of the Court of Assistants as found in the first volume of the Colony Record ends here. The following is the answer of John Pratt and the action of the Court thereon referred to above under the date of November 3, 1635. (See the note on page 58.) This John Pratt record was paged at one time 77 and 78. It is now paged 9 and 10 in the original volume. (See above page 15.) The whole, including the signatures at the end, was written by the Secretary, Simon Bradstreet.]

[77] The Answer of mee John Pratt, to such things as I he[are &] p^oceave objected against mee, as off^ensive in my tre.

¶first geⁿally w^hsoever I writt of the imp^babilitie or impossibility of subsistance for o^rselues or o^r posterity without tempting god o^r with-

* Is to bee in L. copy.

† See Winthrop II., 38.

‡ Tennets in L. copy.

§ Then to bee in L. copy.

¶ Mathews in L. copy.

out extraordinarie meanes, it was with theis two regards first I did not meane that w^{ch} I said in respect of the whole Country, or o^r whole Pattent in geⁿall: but onely of that compasse of ground wherein theis townes are soe thicke sett togeather & secondly I supposed that they intended soe to remaine, because (vpon conference with divers) I found that men did thinke it vnreasonable that they or any should remove or disperse into other pts of the Countrie. And vpon this ground I thought I could not subsist myselfe, nor the Plantaⁿ nor posteritie. But I doe acknowledge, that since my tre there have bene ~~four~~ sundry places newly found out as Neweberry Concord & others (and that within this Pattent,) w^{ch} will afford good meanes of subsistence, for men & beasts, In w^{ch} & other such like newe plantaⁿs, if the Townes shalbe fewer & the bounds larger then theis are, I conceave they may lyve comfortably. the like I thinke of Conecticott, with the plantaⁿs there nowe in hand, & w^t I conceave soe sufficient for my selfe, I conceave soe sufficient also for my posteritie & concerneing theis Townes heare soe thicke planted, I conceave they may subsist, in case that besides the conveniences w^{ch} they have already neere hand, they doe im^pue ffermes somew^t further of, & doe also apply themselues to, & doe im^pue the trade of fishing, & other trades. As concerneing y^t intimaⁿ of the Comonwealth builded vpon rocks sands & salte marshes, I wishe I hadd not made it, because it is construed contrarie to my meaneing, w^{ch} I have before expressed And whereas my tres doe seeme to extenuate the iudgem^t of such as came before, as haveing more honestie, then skill they being scollers, cittyzens tradsmen & my meaneing was not soe geⁿall as the words doe import, for I had an eye onely to those, that hadd made larger reports into England of the Country then I found to be true in the sence aforesaid. And whereas I may seeme to imply, that I had altered the myndes or iudgem^t of the body of the people, magistrates & others, I did not meane this in respect of the goodnes o^r badnes of the Land, in the whole plantaⁿ, but onely in poynte of removeall, & spredding further into oth^r pts they afterwards conceaveing it necessarie, that some should remove into other places here & there of more inlargem^t. and whereas I seeme to speake of all the magistrates & people, I did indeed meane onely all those with whome I hadd any private speech aboute those things & as for the barrenes of the sandy grounds & I spake of the[m] as then I conceaved, but nowe by experience of myne owne, I finde that such ground, as before I accounted barren, [78] yet being manured & husbanded doeth bring forth the more fruit then I did expect. As for the

not psping of the Englishe graine vpon this ground, I doe since that time see that rye & oates have psped better than I expected, but as for the other kindes of graine, I doe still question whither they will come to such pfectiōn as in o^r natiue cōuntrye from whence they come. And whereas I am thought geñally to charge all that have written into England, by way of comendaçon of this land as if what they hadd written were geñally false, I meant it onely of such excessiue comendaçons, as I see did excede, & a[re] contrary to that w^{ch} I have here expressed.

And as concerneing that w^{ch} I said, that the gospell would be as deare here as in England I did it to this end, to putt some w^{ch} intended to come hither onely for outward comoditie, to looke for better grounds, ere they looke this way.

As for some grounds of my returneing, w^{ch} I concealed from my ffrriends for feare of doeing hurt, I meant onely some pticul^r occaçons & apprehencons of myne owne, not intending to lay any secrett blemishe vpon the state, and whereas I did expresse the danger of decaying here in o^r first love & I did it onely in regard of the many folde occaçons & businesses, w^{ch} here att first wee meete withall, by w^{ch} I finde in my owne experience, (and soe I think doe others also) howe hard it is to keepe o^r hearts in that holy frame w^{ch} some tymes they were in, where wee hadd lesse to doe in outward things: but not at all intending to impute it as necessary to o^r condiçon, much lesse as a fructe of o^r precious liberties, w^{ch} wee enioy, w^{ch} rather tend to the quickening of vs, wee improveing the same as wee ought. This my answer (acording with the inward consent & meaneing of my heart) I doe humbly comend to the fav^rable consideraçon & acceptance of the Court desireing in this as in all things, to approve myselfe, in a conscience voyde of offence towards god & man.

John Pratt.

Of this answer of John Pratt before written, voluntarily by him made, as wee are witnesses, soe doe wee also ioyne wth him in humble desire vnto the Court that it may be fav^rably accepted & what euer fayleings are in the Ire in regard of the manner of expressions (w^{ch} may seeme hardly to suite wth theis his interpretaçons,) wee doe desire the indulgence of the Court to passe ouer without ffrurther question/.

Peter Bulkeley
John Wilson
Thomas Hooker

Whereas John Prat of Newe Towne being called before vs att this p'sent Court, & questioned for a lre w^{ch} hee wrote into England, dated wherein hee rayzed an ill report of this Countrie, did desire respite till the nexte day to consider of his answer, hee hath nowe deliūded in this before written, w^{ch} vpon his free submission & acknowledgem^t of his error the Court hath accepted for satisfacōn & therevpon pdoned his s^d offence, & gyven ord^r. y^t it shalbe recorded & such as desire coppyes thereof may have the same/.

John Haynes Goūn^r.
Rich Bellingham
John Winthrop
Tho. Dudley
John Humfry
Willm Coddington
Willm Pinchon
Atterton Houghe
Increase Nowell
Simon Bradstreete

PART II.

COURT OF ASSISTANTS.

RECORD 1641-1644.

**FROM A CONTEMPORANEOUS COPY NOW IN THE
BOSTON PUBLIC LIBRARY.**



PART II.

1641—1644.

COURT OF ASSISTANTS RECORDS.

[Taken from the copy of the Massachusetts Colony Records now in the Boston Public Library and known as the Barlow Copy. This portion of that copy has been printed in W. H. Whitmore's *Bibliographical Sketch of the Laws of the Massachusetts Colony*. The first part of the copy in the Public Library, extending to Jan. 28, 1641, is in the handwriting of Thomas Lechford. (See above, page 1, headnote to Part I.) The rest of that copy, or part of it, as stated above in the note on page 108, appears to have been made by Samuel Symonds. (See *Transactions Colonial Society of Massachusetts*, Vol. V., p. 144, January, 1898.) Through the whole copy the paragraphs are numbered successively in the margin from 1 at the beginning to 3450 at the end. As these marginal numbers are not in the original record now extant in the State Archives from which the first part of the copy was made, it is evident that the lost record from which the part of that copy now printed was made did not have them, and they are therefore omitted here.]

[277]

At a Co't the 28th. 8th. Moth. 1641.

Present. The Governo^r. M^r. Winthrop.
M^r. Dudley. Increase Nowell.

Luxford. James Luxford was Ordered to bee delivered to his three Credito^{rs}.

Voysey fined. M^r. Symon Voysey for striking M^r. Constable was comitted, & fined to give M^r. Constable, 10th.

Waltham. Brittain bound for Wilson. M^r. Henry Waltham, & James Brittain, were bound for Gawen Wilson his appearance at y^e next Co't.

Knight comitted. John Knight is comitted vntill hee find sureties.

At a Quarter Co't at Boston the 7th. of the 10th. Mth. 1641.

Elliot. Tee. Jacob Elliot deposed to the will, & Inventory of John Tee.

Smith. Prichard.	John Smith is graunted five shillings against William Prichard.
Richardson discharged.	John Richardson appearing, & testimony given of his good carriage, hee, & his sureties were discharged.
Wilson, & sureties discharged.	Gawen Wilson appearing, hee, & his sureties were discharged.
Voca[s] fined or whipt.	John Vocar was censured to pay ten shillings, or bee whipped, the 1 st . Mo th .
Capt. Williams, Richardson.	Capt. Williams was p ^{re} ssed, & promised to endeavour, & doe what in him lay to bring backe John Richardson.
Richards fined.	Walthian Richards was vpon his p ^{re} sentment fined 5 th ., & enjoyned to pay the witnesses, which were Edward Bennet, & his wife; Richard Silvester, & his wife; Arthur Warren, Thomas Rawlings, Thomas Penny, M ^r . Waltham, & Mary Smith, after 2 ^d . p day, & to make a Publique
ffinch his wife ill.	Samuel ffinch his wife was certified to bee ill.
Braintree.	The Inhabitants of Braintree, for the bridge over Minotocot River are respited till the Generall Court.
Hingham.	Hingham hath time till the first of the 3 ^d . Mo th . to finish the bridge over Layfords-liking, which they are doe by that time vpon paine of 5 th .
Barnes.	Thomas Barnes about lace, was admonished, & discharged.
Jobson.	John Jobson for vnadvised exp ^{re} ssions, was admonished, & discharged.
Hands discharged.	Marke Hands for want of prooffe was discharged.
Dorchester fined.	Dorchester for defective wayes was fined 5 th ., & had time till the 2 ^d . Mo th .
Marklin recompence Pen.	It was referred to indifferent men to judge, what recompence Marklin knight should returne to James Pen.
Davies fined, bound.	William Davies for keeping an house of disorder, by givinge enterテインement against Order, was fined 20 th ., & bound in 10 th .
Chidley.	not to sell ale, strong beare, wine, or strong-water. M ^r . Chidley was gone out of the Countrey before Co ^{rt} .
Hawkins fined.	Thomas Hawkins for makeing bread to light was fined 5 th . and enjoyned to give one witnesse, Edward Bates, 2 ^d . 6 ^d

Boston fined. Boston for defective [ways] towards Roxbury is fined 10^s, & enjoyned to mend them, by the 24th. of the 2^d. Moth., vpon paine of five pounds.

Cambridge fined. Cambridge for a defective way to Charlestowne is fined 5^s.

ffuller. ffuller was respitted till the next Quarter Co^t.

Knight. Carters wife. John Knights Cause to be tryed by Action. Carters wife was admonished, & discharged.

[278] At a Co^t at Boston the 27th. 11th. Moth. 1641.

Present. The Governo^r. M^r. Winthrop.
M^r. Dudley. Increase Nowell.

Knowers estate. The administration of the estate of Thomas Knower is graunted to James Browne & William Stitson Gosse, & his wife, to bee brought to the next Co^t, to answer things objected against them.

Wilsmore. Elizabeth Wilsmore had warrant to the Constable of Watertowne, to provide hir a place in service, or otherwise.

Williams. Read. David W^ms hath put himselfe to John Read for 4 yeares, from the 12th. of this p^rsent Moth.

ffox. Everell. John ffox hath put himselfe App^rntise to James Evrell, for 6 yeares, from this p^rsent day.

At a Quarter Co^t at Boston y^e 1st. of the 1st. Moth. ~~1641~~.

Present. M^r. Governo^r. M^r. Winthrop.
M^r. Dudley. Increase Nowell. M^r. Bradstreet.

Mr. Ballards estate. M^r. Timothy Tomlins, & Thomas Elington were graunted administration of the estate of M^r. Ballard, & they are to dispose of the Children, & their estates.

Story comitted. &c. George Story vpon his miscarriage was comitted, & after vpon his submission, & acknowledgement of his fault, hee was discharged.

Charlestowne. Sudbury. Dedham Lands. Charlestowne delivered in a transcript of their Lands. Sudbury d^d in a transcript of their Lands. Dedham delivered in a transcript of their Lands.

- Browne. Perry.** Malachy Browne had six shillings 8. pence Costs gaunted against Francis Perry, for warning him to appeare, & not prosecuting him.
- Mr. Trerice fine rem.** Mr. Nicholas Trerice ¶ his fine ¶ of forty shillings is remitted him.
- Thatcher, Collaine, Allen, Barton, whipt.** Peter Thatcher for plotting Piracy was committed, & to bee whipt; Matthew Collaine, Robert Allen, & Marmaduke Barton, were whipped for concealing the plot of Piracy.
- Shermans fine remit.** Samuel Sherman is remitted his fine of 20^s.
- Singleman, fuell, bound.** Henry Singleman is bound in 20^{lb}. to bee of good behavio^r & to appeare at the Quarter Co^rt in the 7th. Moth. 1642. & Samuel fuell is bound in 10^{lb}. for the good behavio^r & appearance of Singleman.
- Hawkins whipt.** James Hawkins for prophaining the Sabbath hee was censured to bee whipt, & bound with his Brother Thomas Hawkins in 40^{lb}. to appeare at the Generall Co^rt, & answer for venting his corrupt Opinions, & to bee of good behavio^r till then.
- Sedgwicke for theft, whipt. &c.** Elizabeth Sedgwicke for hir many theftes, & lyes was censured to bee severely whipt, & condemned to slavery, till shee have recompenced double for all hir thefts.
- Pesons banished.** Pesons, or George the Indian, was banished not to come among the English after a weeke.
- Mincarry admonisht. &c.** Mincarry, the blackmore was admonished, & dismissed.
- Smith admonisht.** John Smith was admonished & dismissed.
- Coles restitution.** Susan Cole was enjoyned to make double restitution.

At a Co^rt at Boston 28th. 2^d. Moth. 1642.

Present. The Governo^r. M^r. Winthrop.
M^r. Dudley. M^r. Stoughton. Increase Nowell.

- Barton committed.** Marmaduke Barton for his theft, & running away, was committed to the keeper, as a slave, till the next Generall Co^rt.*
- Briant whipt.** Thomas Briant for concealing Thatchers Plott, & consenting to it, was censured to bee severely whipped.

* See Mass. Col. Records, Vol. II., p. 21.

Jackson.

Elisha Jackson was with his owne consent turned over for his time, from George Barrell, to John Millam.

The 12th. 3^d. Moth. 1642.

Present. The Governo^r.

M^r. Winthrop. Increase Nowell.

Woodcooke whipt.

John Woodcooke for his many miscarriages was censured to bee whipped.

[See below after the next four courts for records of courts from June 7 to Dec. 6, 1642, misplaced in the Library copy.]

At a Co^rt at Boston 20th. 12th. Moth. 1642.

Present. The Governo^r. M^r. Dudley.

M^r. Bellingham. Increase Nowell.

Chadwicke fine
discharged.
Whitney fined.

Charles Chadwicke is discharged of his fine of 3^s. 4^d. & John Whitney the Constable is fined 2^d. for not warning him.

Story discharged.

George Story appearing is discharged of his Bond for appearance to answer Capteine Keayne this Co^rt.*

Charlestownes
Constables allowed.

It was ordered that the Constables of Charlestowne should bee allowed 9^{lb}. 12^s. 8^d. for the charge of ^A

Mr. Ruck. Stow.

M^r. Thomas Rucke, & John Stow appearing, were appointed to appeare at the next Generall Co^rt, to give in their finall answer about the 50^{lb}. comitted into their hands.

[279]

Davis. Kempe.

It was Ordered James Davies should have 3^{lb}. 12^s. for keeping of John Kempe for 12. weekes, at six shillings p weeke.

Hoare. Read.

Mary Hoare was Ordered to pay John Read 10^s for hir theft, & trouble of him.

Chapman payd.

It was Ordered that Jacob Chapman should bee allowed 15^s. for 9 dayes travell, & 2^s. 6^d. layd out of purse.

M^r. Strainge
Hingham.

Order was sent to the Constables of Hingham, that M^r. Strainge & hir child should bee supplied

* See Mass. Col. Records, Vol. II., p. 51; also Winthrop II. p. 69.

according to their necessity that they may bee comfortablie maintained by the helpe of such worke, as shee is able to doe, & hereof not to faile, as they will answer it.

It is conceived John Stiles should be allowed
 Stiles allowance. nine pound per annum for the time hee [time hee] hath served, & twenty shillings, for being turned away in winter, vnprovided.

It is conceived that Thomas Marvin should bee
 Marvin allowance. allowed nine pound p annum for the time he served, & twenty shillings, for being turned away in winter, vnprovided, & 40^s. for the 8. wolves killed.

The 16th. of the 12th. Moth. 1642.

Present. The Governo^r.

M^r. Bellingham. Increase Nowell.

Daniel Owles comeing before vs, for drinking
 Owles
 Willoughby fined. part of severall pints of wine, with William Willoughby was fined ten shillings.

William Willoughby for beeing distempered with
 Willoughby
 comitted. wine, & mispending his time, & neglecting both publique, & private Ordinances, was comitted to Prison to bee kept to worke there.

At a Quarter Co^rt at Boston 7th. 1st. Moth.

p^rsent. The Governo^r.

The Dep^{ty}. Gov^r. M^r. Dudley.

M^r. Bellingham. M^r. Bradstreet.

M^r. Flint. Increase Nowell.

M^r. Nathaniel Briscoe for certeine mutinous
 Briscoe fined. speeches, & writings was fined 10^{lb}.*

John Pescot was dismissed with an admonition.
 Pescot.
 Winter diam. John Winter is discharged wth an admonition.

M^r. Richard Collecot his bill of 21^{lb}. 8^s. 10^d. was
 Mr. Collecot payd. assigned to bee paid him, & for himselfe for 18. days, 2^{lb}. 14^s. & for M^r. Holeman, for 18. dayes, 2^{lb}. 14^s.

* See Winthrop II. 92, 93.

Mr. Richard Browne beeing questioned for vnmeete & filthy dalliance, with Sarah now wife of Thomas Boylston, for want of full evidence, they were dismissed with an admonition.

Bulls, Bliths fornic.
fined.

Will^m Bull, & Blith now his wife, were fined 20^s. for fornication comitted before marriage.

Stowers fined.

John Stowers for reading to divers offensive passages (before comp^a) out of a booke, against the Officers, & Church of Watertowne, & for making disturbance there, was fined forty shillings.

Bells theft.

Sarah Bell for hir theft, stealing money from hir master, was censured to bee whipped, except shee behave hir selfe well, betwixt this, & the next Co^t, & soe as the Co^t see cause to remit it.

Cornish comitted &c.

John Cornish was comitted, & after was ordered to bee released vpon his owne bond, for his good behavio^r, & appearance, &* the next Co^t.

Hewet repay.

Susan Hewet, & others which sold Sarah Pell* goods were Ordered to take their goods backe, & repay the money to Mr. Newgate.

Ocrimi punished.

T[eagu] Ocrimi for a foule, & divilish attempt to buggen a cow of Mr. Makepeaces, was censured to bee carried to the place of execution, & there to stand with an halter about his necke, & to bee severely whipped.

Wyar. Garland
whipt, & fined.

Robert Wyar, & John Garland beeing indited for ravishing two yong girles, the fact confessed by the girles, & the girles both vpon search found to have bin defloured, & filthy dalliance confessed by the boyes; the Jury found them, not guilty, wth reference to the Capitall Law. The Co^t judged the boyes to bee openly whipped at Boston, the next market day, & againe to bee whipped at Cambridge on the Lecture day, & each of them to pay 5th. a peece to their master in service.

Wythes. Odle.
whipt.

It was also judged that the two girls Sarah Wythes, & Ursula Odle beeing both guilty of that wickednes, shall bee severely whipped at Cambridge in the p'sence of the Secretary.

Mr. Norton. Pent-
cus. Charlestowne
constables.

The 15th. 2^d. Mth. M^r Francis Norton, & John Pentecus, beeing formerly chosen Constables of Charlestowne, by the Towne, did take their Oathes to discharge that Office.

At a Co't at Boston, the 27th. 2^d. Moth. 1642.*

Present. The Governo^r. M^r. Deputie. M^r. Dudley.
M^r. Bellingham. M^r. Flint. Increase Nowell.

Woods Inventory. An Inventory of the estate of Edward Wood deceased, was delivered in, & an account how the Children are disposed of, which the Co't doth approve.

Taylor admonished & dismissed. Richard Taylo^r beeing enjoined to appeare at the next Co't to answer for his rude & vnmeete speeches, hee was dismissed with an admonition.

Hobson freed. Henry Neale appearing, his servant Henry Neale to pay witnesses. Hobson was freed from him, and put [280] to another, & Henry Neale was enjoined to pay all the witnesses, & deliver vp all bonds, & soe all things were ended betweene them.

Hobson to Meakins. Henry Hobson is put to Goodman Thomas Meakins for the rest of his time, for 4th. p annu and vpon his good behavio^r to have 2^s. 8^d. at the end of his time.

Stone, Armitage costs graunted. John Stone, & Joseph Armitage, vpon a warrant from Joshua Hubbard had ten shillings cost graunted them, against Joshua Hubbard for not prosecuting.

Owles servant to French. Daniel Owles is put to Serjeant William French for a yeare, & then to bee brought againe to the Co't, to have further consideration had of the case, whether Serj^t French had sufficient recompense for the losse of his servant, Edward Walldo, whom Owles concealed, plotting to run away, & counselled thereto.

Smith bound. Richard Smyth concealing his knowledge of Edward Waldo his intent of running away, is bound in ten pound to appeare at the next Co't.

Wyar to Bowtle. Robert Wyer is put to Leonard Bowtle, with his Masters consent for the rest of his time.

Browne whipt. William Browne for running away, deriding an Ordinance of God, refusing to give account what hee had learned, & refusing to obey [his] master, was censured to be severely whipped.

Mindam discharged. Robert Mindam appearing haveing bin imprisoned vpon an attachement by M^r. Campian, vpon pretence

* This should be 1643. Bellingham was Governor 27 April, 1642. Thomas Flint was first chosen an Assistant 18 May 1642.

of a debt of 35^{lb}. to M^r. Trerice, he was discharged, because noe action is entered, nor none appeareth to prosecute.

The 16th. 3^d. Moth. Richard Quick for beeing dis-
Quick whipt. tempered by drinking wine, & for his idlenes, stub-
bornes, & dalliance, was censured to bee whipped.

Edward Roberts was appointed to pay 12^d. for
Roberts fined 12^d. drinking to Richard Quick.

John Perry for running away was censured to bee
Perry Whipt. whipped 17th. 3^d. Moth.

John Harding, & John Hollister beeing chosen
Harding. Hollister. Constable of Weymouth, did take their oath to that
Weymouth Con- place appertaining. 23. 3^d. Moth.
stables.

M^r. Baker of Ipswich is allowed to keepe an
Baker Ordinary Ordinary insteed of Goodm. Andrews.
keep.

Edward Goodnow beeing chosen Clearke of the
Goodnow Clarke of Band did take his Oath 5th. 4th. Moth.
y^e Band.

M^r. Edward Tomlins beeing chosen is allowed
M^r. Tomlins Ensigne. Ensigne at Linn.

M^r. William Tory is appointed Ensigne at Wey-
M^r. Tory Ensigne. mouth.

Edward Johnson is appointed to traine the Com-
Johnson. pany at Wooborne.

The 7th. day of the 4th. Moth. 1642.*

p^resent. The Governo^r. The Deputie. M^r. Dudley. M^r. Bellingham.
M^r. Bradstreet. M^r. Stoughton. M^r. Flint. Increase Nowell.

Dedham delivering in a transcript of their lands,
Dedham Lands. the Co^rt gave M^r. Allen leave to have the transcript
backe againe.

The other Townes, to wit Boston, Dorchester,
Forbearance. Braintree, & Watertowne, had time graunted them
till the 4th. Moth. 1643.

M^r. Edward Paine vpon his appearance was dis-
Mr. Paine dis- charged there beeing noe Action entered by Clement
charged. Costs Campion, and M^r. Paine was graunted 6^s. 6^d. costs
graunted. against Clement Campion.

* This and the four following records were misplaced in the Library copy. See above under
12th 3^d Mo. 1642.

- Wood fined. Edward Wood was fined 8^s. for baking wheat meale contrary to order.
- Scott & his wives punishment for fornicacon. Thomas Scot, & his wife for comitting fornication before marriage, were enjoyned to stand an ho^re vpon the 16th. p^rsent, in the market place, with each of them a paper with great letters, on their hatts.
- Morrice will delivered, &c. Thomas Morrice his will was delivered [in] vpon oath testified by Edward Woolastone, & William Hudson.
- Whitmore* dismissed. Thomas Whittamore because of his sore leg was dismissed with an admonition.
- Concord transcript imperfect. Concord delivered in a transcript of their Lands, but vnsubscribed, which not beeing according to Order, was delivered backe againe to them to perfect.
- Keayne Comitted, &c. Anne Keayne for hir grosse failing in not testifying the truth, when shee was called vpon oath shee was comitted to the Keeper, & vpon hir petition, & confession of hir fault, she was released.
- Bosworth bound, & to find sureties. Jonathan Bosworth for discountenancing a wittnesse, was comitted till hee find sureties; Samuel Ward, & Nicholas Jacobs were bound in 10^{lb}. a peece for Jonathan Bosworth his good behavio^r, & appearance at the next Quarter Co^rt, & Jonathan Bosworth himselfe was bound in 20^{lb}.
- Eliz: Strainge dismis. Eliz: Strainge vpon acknowledgment of hir sincere[^], with an injunction to acknowledge hir sin publicly at Hingham, & that to bee certified by the Constable, shee was dismissed with an admonition.
- Jones dismissed. William Jones vpon his acknowledgment here, beeing enjoyned to acknowledge the like Publicly at Hingham, with an admonition, & an injunction to pay the witnesses 5^s. a peece, he was dismissed.
- Richards fine abated. M^r. Richards is abated twenty shillings of his fine.
- [281]
Mr. Long fined. John Long Gent. for his misdemeano^r, distemper in drinke, swearing & cursing was fined twenty pound, & to put in sureties before his departure.
- Wilson's fine respited. Thomas Wilson his fine is respited till the end of the second Moneth 1643. and Anthony Staniard

* So in the Library copy.

is bound in twenty pound for the payment of Thomas Wilsons fine.

Morrell fined. Isaac Morrell was fined 5^s for his absence, which hee is to pay to the rest of the Jury.

Powell Surveyor of Armes. Nicholas Powell is appointed Surveyor of the Armes for Dedham.

Mr. Longs damage. It was Ordered that M^r. Stodder should have three pound of M^r. John Long, for himselfe, & ten shillings for the rest of his Company, for the trouble, & danger they susteined by M^r. Long.

At a Small Co^t at Boston, the 28th. of the 5th. Moth. 1642.

p^rsent.

The Governo^r. M^r. Dudley. M^r. Stoughton. Increase Nowell.

Smith. Henry Smith not appearing (beeing warned by the Governo^r.)

Stephenson liberty graunted. Margeret Stephenson is judged at liberty to be married to Benjamin Scott.

Kempe cared for. The Constable of Roxbury was Ordered to take care of John Kempe, servant formerly to Isaac Morrell, both for his maintenance, & cure, till the next Quarter Co^t, and then further order should bee settled.

Matthew to worke. The Co^t thought meet Dermond^t Matthew should bee set to worke by such, as have occasion to employ him, vntill his M^r. shall appeare, & take co^rse about him.

Bradley Admin- Katherin Bradley is graunted administration of istraccon &c. hir husbands estate, who gave hir all his estate, only some cloathes, & tooles to his brother.

At a Quarter Co^t the 6th. of the 7th. Moth. 1642.*

p^rsent.

The Governo^r. The Deputie Gov^r. M^r. Dudley. M^r. Bellingham. M^r. Saltonstall. M^r. Stoughton. M^r. Bradstreet. M^r. Flint. Increase Nowell.

Roberts comitted. George Roberts was comitted to the keeper for his ill carriage, but after had leave, to goe take care of his corne, beeing it lay vpon spoyling.

* See below, Part III., for a record of this date..

- Cooper. Hubbard. Thomas Cooper, & Joshua Hubbard Constables of Hingham.
- Converse constable. Edward Converse Constable of Wooborne.
- Bosworth discharged. Jonathan Bosworth is discharged from his bond.
- Sever fined. Robert Sever for his miscarriage in neglecting the watch, is fined twenty pound which the Co't doth respite.
- The Elders advice desired. Several of the Members of Hingham, vpon admonition of the Co't, did refer it to the Co't, to speake to the Elders to consider the case, & to send some of themselves to see, if it may please the Lord by advise to helpe to reconcile their differences, and settle them in a way of Christ.
- Wooldrige fined. M^r. John Wooldrige was fined 3^{lb}., & enjoyned vpon paine of 5^{lb}. to acknowledge his offence, at Boston, Charlestowne, & Cambridge, reading an acknowledgment written for his drunkenesse, & swearing.
- Batter costs graunted. M^r. Edmund Batter had six shillings, eight pence cost graunted him, against M^r. John Humphrey for serving him to appeare, & not prosecuting.
- Lewis whipt. John Lewis for running away, and breaking an house, was censured to bee whipped, & sent home to his Master.
- Cole to worke. Richard Cole was comitted to worke for his living, till a master bee found for him.
- Walcot Whipt. William Walcot was censured to bee whipped, & kept in Prison, till further Order, for his idlenesse, & abuse of his friends.
- White comitted. Richard White beeing comitted for refusing to releas. watch, vpon his submission he was released.
- Het. Whipt, &c. Anne Hett for attempting to drowne hir child was censured to bee whipped, and kept to hard labo', & spare diet.
- Cotcree whipt. Thomas Cotcree was censured to bee severely whipped, for his vnmeet dalliance with two or three girles.
- Juries verdict returned. The Jury returned verdict about the death of Richard Silvester his child.*

Part of Mo.
Thyeryes estate.

The Governo^r hath in his hands about 4^{lb}. of the estate of one Mountsier Thyery, a ffrench man, that dyed here.

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Watts fined.

George Watts is appointed to give ten shillings in cotton woole for swearing.

Cole put to Haward.

Richard Cole is put to William Haward for a yeare, vpon such wages as shall bee suteable to his yearnings.

At a Co^rt at Boston the 27th. 8th. Moth. 1642.*

p^rsent.

The Governo^r. M^r. Dudley. M^r. Bellingham. Increase Nowell.

ffinch Gorton
excused. Vnions
fine respited.

Samuel ffinch, & John Gorton, for not appearing vpon the Alarme, their excuses were accepted, and they freed. Robert Vnion not appearing vpon the Alarme, his fine of 5^{lb}. is respited, till the Generall Co^rt.

Widdow Merriam
administracon
graunted.

Widdow Merriam is graunted administration of hir late husband Merriam his estate.

Web fined.

William Web for his neglect, in not carefully attending the Order of Co^rt about his bread, is fined ten shillings.

Comittee appointed.

Vpon Consideration (severall Petitions p^rferred to this Co^rt) It was Ordered that M^r. John Smith, M^r. William Bacon, togeather with M^r. John Oliver, Leiv^t Lusher, & Anthony ffisher, these, or any three of them whereof the said M^r. John Smith, & M^r. John Oliver to bee two, shall have power to take into their custody all the bookes, & writings of the said† Edward Allen, to cast vp, & to cleare the accounts, for deviding of the interests of the severall Parties, & to pay, & receive all debts and to certify the Co^rt with what speed they may.

M^r. Oliver's sume.

The Treasuro^r had order to pay M^r. Oliver the sume of 12^{lb}. for his paines about Mansfeild.

Administracon
graunted.

John Newton, & Edward Allen are graunted the Administracon of the estate of M^r. Edward Allen.

Conway whipt.

Davyd Conway servant to W^m Beamsley, for resisting his master was censured to be whipped.

* See Winthrop II. 73, 74, for mention of a civil suit at this Court.

† So in the Library copy.

John Neale servant to M^r. Cockram was comitted
 Neale comitted. vpon suspition of felony.

William Hudson was graunted six shillings, eight
 Hudson costs
 graunted. pence against Symon Kempthorne, for attaching, &
 causing him to attend, & not prosecuting.

frances Pembroke tooke hir oath, that M^r. Allen,
 Mr. Allens gift
 testified. vpon his death bed gave his estate to John Newton, &
 Edward Allen his kinsman, & that he was then, &
 after in good memory, & vnderstanding.

The 14th. of the 9th. Moth. 1642. Daniel Mansfeld
 Mansfeld to
 Denux. is put to William Denux for five yeares from this
 p^rsent day.

At a Quarter Co^rt at Boston, the 6th. of the 10th. Moth. 1642.*

p^rsent.

The Governo^r. M^r. Dudley. M^r. Bellingham. M^r. flint. Increase Nowell.

Charles Cadwicke,† & Robert Holmes, are fined
 Chadwicke.
 Holmes fined. three shillings, foure pence a peece, for beeing
 absent, being warned.

Edward Lewis, Williams, John Shear-
 man, & George Munnings, are appointed to view the
 Searchers
 appointed. leather which is tanned in Watertowne, & to certify
 vpon their oathes, (& in perticular leather tanned by John Winter, for
 which hee was p^rsented, which John Warren can testify) at the next
 Quarter Co^rt.

William Shepheard for covenanting for 15^{lb}. wages
 Shepheard fined. p annum, is fined two pound.

Laurence Copeland for covenanting for 15^{lb}.
 Copeland fined. wages p annum is fined 2^{lb}., beeing both released one
 halfe of the time, which was ordered to bee stayed in John Mowers
 hand, and by him, to bee payd two shillings to Martin Saunders, &
 3^{lb}. 18^s. to the Treasuro^r.

Watertowne p^rsentment is referred to the next
 Watertowne
 p^rsentment. Quarter Co^rt.

It was ordered that M^r. Hibbins should bee
 Mr. Hibbins
 allowed. allowed twenty pounds for his horse killed in
 Pu[bl]ique service.

* See below, Part III., for record of this date.

† So in the Library copy.

Mr. Bartholomew his cause, vpon his brothers vndertaking to bee surety to answer for his brother, at the next Quarter Co't, it was referred to the next Quarter Co't: And Capteine Keaynes Action is deferred by consent, till M^r. Bartholomew doe come.

David Weane by consent put himselfe to Hugh Gunnison for 3^{lb}. 15^s. till that bee wrought out.

Isaac Addington did depose that Timothy Higgenson had 6. gallons of M^r. Eldreds wine, Robert Gillam had 5. gallons, William Pearce as hee thinketh had 5. gallons, & himselfe had 5. gallons.

Dearmant Matthew is put to Thomas Dexter for the rest of his time, Dexter promiseth to pay what wages Dearmant proveth to bee due, and all is referred to M^r. Sadler, & goodman Armitage to heare, & end all businesses, & the 3 attachments are discharged.

It was Ordered that M^r. Walton should have his goods againe, which were vnjustly taken and the Arbitratorⁿ to end the businesse of the sow, if they can.

[283] John Lee is graunted six shillings 8. pence against Richard Lettin, for somoning him to appeare, causing him to attend, & not prosecuting.

Martin Saunders vndertooke the Bridges, p^r-sented, should bee repaired, soe Braintree was fined three shillings, foure pence, & discharged.

It was Ordered that M^r. Ruck, & Goodman Stow, should bee sent vnto, to come in at the next Co't, & should shew how they have disposed of the 50^{lb}., or bring it in, or shew why they should not.

William Davies was fined 5^{lb} for his contempt, in keeping victualling against Order of Co't.

Hingham vpon oath given, that the way is made out, is discharged.

Boston is discharged, the way to Charlestowne being made good.

The other p^rsentments are respited till the next Quarter Co't because of the weather.

The 11th. Moth. 1642. 5. day. Elizabeth Hasnet is put to William Wilson, for 50^s. wages, for the yeare.

Mr. Bartholomew
cause refered.

Capt. Keaynes
Action defer.

Weane to Gunnison.

Addington
deposition.

Matthew to Dexter.

Walton have his
goods againe.

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Lee costs graunted.

Braintree fined.

Mr. Ruck.
Stow called.

Davies fined.

Hingham
discharged.

Boston discharged.

p^rsentments
respited.

El. Hasnet put to
Wilson.

Wicks Constable.

The 12th. day. George Wicks beeing chosen Constable of Dorchester tooke his Oath.

At a Quarter Co^r at Boston the 10th. of the 4th. Moth. 1643.*

p^rsent.

The Governo^r. The Deputie. M^r. Dudley.
M^r. Bellingham. M^r. Saltonstall. M^r. Bradstreet.
M^r. Hibbens. M^r. Flint. Increase Nowell.

Ridway payd. It was Ordered that forty five shillings of the estate of M^r. William Bladen, should bee payd to James Riddway, who was his servant for his yeares provision.

Boston p^resented. The Towne of Boston beeing p^resented for defect of their highwaies, they had bin p^resented for [^]

Mr. Oliver payd. It was Ordered that M^r. Oliver should have for his paines, & charge about the Saylo^r three pound, about Mansfeild twenty shillings, about Kemp seaven pounds; togeather eleven pounds.

Heathersby discharged. Robert Heathersby appearing is discharged of his bond, & graunted 10^s. costs against [^]

Brittaine respited &c. James Brittaine beeing p^resented, & traversing the p^resentment was respited to the next Co^t, and bound himselfe in twenty pounds to appeare then, & answer. William Brandon to appeare for a witenesse.

Layton discharged. Thomas Layton appearing was discharged.

Smith comitted. Richard Smyth beeing convented, for beeing privy to Edward Waldo his intent to run away, which was witnessed by Blith Bull, hee was comitted to.

Mills fined. George Mills for a Battery is fined ten shillings.

Willis fined com. Richard Willis for a foule Battery is fined 2^{lb}. 10^s., & comitted till hee pay or give sufficient security.

Chadborne. Low. William Chadborne, senio^r, John Low, Robert Butcher, William Affeild, John Woodward, Ambrose Leach & Sacheas Bosworth were fined 10^s. apeece, for drinking too much.

Golthrope fined. Ralph Golthrope is fined 10^s. for beeing dis-tempered with wine.

* For previous courts in 1643 see above after the court of the 12th of the 3d month, 1642.

- William Filpot was admonished to take heed of suffering drinking in his house.
- Anker Ainsworth beeing p'sented for taking excessive wages, it did not appeare, & soe hee was discharged.
- Mr. Draytons Cause against Mr. Wannerton is transmitted to the Co't at Piscataqua.
- Mr. Stodder beeing p'sented for selling cloth at an excessive rate, it appeared noe excesse in him, soe hee promising to satisfy Mr. Paine was discharged.
- Henry Leake, & his wife for fornication were enjoyned to appeare the next Lecture day, at Dorchester after the Lecture, and to acknowledge their fault.
- John Smyth Clarke of the Band at Dorchester.
- Francis Pemble bound him in 20^{lb}. to appeare at the next Co't, to answer for his lewd, & reproachfull speeches.

The 27th. of the 5th. Moth. 1643.

p'sent.

Mr. Governo^r. Mr. Dudley. Mr. Bellingham. Mr. Hibbens. Increase Nowell.

- Nicholas Rogers for beeing distempered with wine, or strong drinke, was fined 2^{lb}. who being imprisoned is remitted to ten shillings.
- William Scutt for selling powder, & shot to the Indians was fined 10^{lb}. to pay the halfe, when corne is payable, & the other halfe a 12. Moth. after, & Thomas Spaule is surety.
- Samuel Bacon for stealing wine, & other thinges, was censured to be severely whipped, & to make double restitution, to M^r. Hull, & his Dame.
- Robert Rogers was, for receiving stolen wine, being consenting in it, enjoyned to pay Mr. Manning 32^s. & fined to the Countrey 40^s.
- Miles Tompson for drinking with them, & beeing privy, was to pay Mr. Manning 16^s.
- Toby Davies beeing privy, & drinking with them was to pay Mr. Manning 10^s.

* So in the Library copy.

[284] Robert Wyar for drinking with Bacon, bee-
 Wyar. ing privy to the taking of it, was enjoined to pay M^r.
 Cooper. Manning 4^s., Thomas Cooper for drinking, beeing privy
 to the manner of taking it, to pay M^r. Manning 4^s.

Nathaniel Tappin for breaking, breaking into
 Tapping for theft, severall houses, and stealing severall things was cen-
 whipt. sured to be whipped, & put to Goodman Gillam.

William Langley beeing chosen Constable of
 Langley Lin Constable. Linn, tooke his Oath.

At a Quarter Co^rt at Boston the 5th. of the 7th. Moth. 1643.

p^rsent.

M^r. Deputie Gov^r. M^r. Dudley. M^r. Bellingham. M^r. Saltonstall. M^r. Pinchon.
 M^r. Bradstreet. M^r. Flint. M^r. Symons. M^r. Hibbens. Increase Nowell.

John Clough is fined 6^s. 8^d. for his absence when
 Clough fined. the Jury was called.

Ralph Golphrop was fined 3^s. for his distemp in
 Golphrop fined. drinke, & if he fayle in that againe, to have Cor-
 porall punishment.

It is Ordered that vpon the Letter of Attorney
 Legacies payd. shewed heare in Co^rt, the Legacies should bee payd
 by M^r. Smyth of Springfeild to John Porter.

Gawen Wilson is fined twenty shillings for forni-
 Wilson fornicason cation, which M^r. Bozoon Allen vndertooke to satisfy
 fined. in cotton-woole by M^r. Coitmore.

George Napper was discharged, & co^mmitted to his
 Napper discharged. Master, and to stay with him, soe much longer for the
 time hee hath bin absent.

William Bairstowe appearing was discharged.
 Bairstow discharged.

Elizabeth Vane, for hir miscarriage in abuseing
 Ellis. Vane comitt. one of the Magistrates, & M^r. Newgate, was co^mmitted
 releas. at the pleasure of the Co^rt, & vpon hir humble Peti-
 tion, & acknowledgment, was released.

Francis James chosen Constable of Hingham,
 James Hingham Const. tooke his Oath.

Richard Gell servant to Francis Hellingham of
 Gell whipt. runing Salem, for running away was censured to be whipped,
 away. & sent to his Master, whom hee is to serve for the
 time hee hath lost.

John Bartlet for his swearing, theft, & drunkenes was comitted to Prison, & censured to bee whipped, & fined twenty shillings. Stephen Day for his defrauding severall men was comitted. John Gammage for his swearing, drunkenes, & other prophanes, & disorder, was censured to bee well whipped.

Arbitrators. Mr. Symons, Mr. ffowle, Mr. Smyth, Mr. Dan, & Goodman Bendall, are appointed by consent to arbitrate betweene Mr. Humphrey & Mr. Robert Saltonstall.

Thomas Anker payd 5^s for his distemp in drinke which^A

Mr. Pendleton Sudbury. Mr. Briant Pendleton is appointed to exercise the Company at Sudbury.

Watts fined. George Watts for his distemp in drinke, swearing, & abusing the watch was fined 10^{lb}. & to pay or give sufficient security before hee bee released.

Serjt. Wardall Exeter. Serjt. Wardall is appointed to traine the Company at Exeter.

Lewis enjoyned. [Lewis*] freed. Lewis is enjoyned not to strike his servant John Lowe, & to set the said John Lowe free the 24th. of the 4th. Moneth 1644.

Administration granted. Andrew Allen is graunted administration of his Brother Edward Allen his estate, who was killed the fourth of this p'sent Moneth.

Rogers whipt. The eighth Moth twelfth. Nicholas Rogers for his drunkenes, and makeing others drunke with his strong-water, was censured to bee whipped. Swiniard Lewis for his beeing drunke, was fined ten shillings which hee paid.

Hart fined. The 19. day. Israel Hart is fined twenty shillings for neglecting the watch, and enjoyned allsoe to pay the two witnesses, and the officer.

Wood Ordinary keep. The 20. day. Richard Wood is allowed to keepe an Ordinary at Roxbury.

Burges admonisht. Thomas Burges for his distemper, was dismissed with an admonition to take heed of the like fayling.

White costs graunted. Thom. White is graunted 13^s. 4^d. against Andrew Belcher, for the 5^{lb}. of powder, & trouble he hath put him to.

* Lowe?

Thomas Bauldwin for his miscarriage to his master, and striking him was committed to prison.

Bauldwin committed.

Robert Wright is fined twenty shillings for being twice distempered in drinke, or to sit an houre in the stocks, the next Market day at Boston.

Wright fined.

William Barnes for swearing is fined ten shillings.

Barnes fined.

James Kinloah appearing for want of prooffe hee was discharged.

Kinloah discharged.

It was Ordered that ff Francis Lightfoot should have paid him, by M^r. Edward Gately ten shillings, and by Joseph Armitage foure shillings, for the trouble, & attendance they caused to him.

Lightfoot paid.

[285] At a Co^rt at Boston the 26. of the 8th. 1643.

p^rsent. The Deputie Governo^r. M^r. Thomas ff Flint. Increase Nowell.

Leonard ffryar was fined 10^s. Leonard ffryar James * Nelme, & David Wayne, all 3. are bound in 40^s. apeece to appeare at the next Quarter Co^rt to answer for excessive drinking, & distemper.

ffryar fined.
ffryar, Nelme,
Wayne, bound to
appeare.

John Garland for stealing severall thinges to the value of 3^s 6^d was enjoyned to make double restitution.

Garland to make
restitution.

Thomas Arnold beeing chosen Constable of Watertowne, tooke the Constables Oath.

Arnold Watertowne
Const.

The will, & Inventory of William ffry, to the Recorder was delivered the ninth of the ninth Moneth, the widow beeing Executrix, and the wittnesses Thomas Bayly, & John Burges tooke their Oaths.

ffryes will recorded.

David Dauling, Mary Audley, & Jane Jeffrey, for their filthy, & vncleane practise, were censured to bee severely whipped.

Dauling. Audley.
Jeffrey. whipt.

At a Co^rt at Boston the 5th. of the 10th. Moth. 1643.

p^rsent. The Governo^r. M^r. Dudley. M^r. Winthrop Jun^r.
M^r. Stoughton. M^r. Hibbens. M^r. ff Flint. Increase Nowell.

Capt. Chadwicke fined. Capteine John Chadwicke for swearing many oathes, and other disorder is fined twenty pounds.*

Capt. Williams fined. Capteine Aaron Williams for distemp in drinke, is fined ten shillings, which hee paid.

Souldiers charges disbursed. It was Ordered that John Johnson the Surveyor should take out of the Cattell which came from Providence, the money disbursed for that Company, & vndertaking, which is twenty five pounds three shillings, & nine pence, as p pticulers.

Sudbury Mill fined. The owners of Sudbury Mill are fined 3^s. 4^d. for want of Scales, & Weights, and they are to provide them, by the next Quarter Co't in paine of twenty shillings.

Dedham transcript accepted. Dedham delivered in a transcript of their Lands, and was discharged; and for the way betweene Dedham and Cambridge, they have time till the fourth moneth next.

Painter stockt. Thomas Painter for disturbing the Church of Hingham, was censured to bee sett in stocks a Lecture day, at Lecture time, except hee humble himselfe, and give the Church satisfaction.

Ardway accused, dismissed. Abner Ardway beeing accused for dallying with Mary Giles for want of prooffe he was dismissed with an admonition.

Read dismissed. Williams whipt. Porter considered of. John Read for refusing to watch hee was dismissed, and the thing to bee considered. David Williams for assaulting the watch was censured to be whipped at Braintree, and warrant to George Read, to stop out of the wages, to pay the witnesses. William Porter for refusing to watch to bee considered of.

Archers whipping respited. John Archer for resisting his Master was censured to bee whipped, which is respited.

Too much wages considered of. James Loranson, John Callwell, Thomas Danfort, John Gill, and his wife, with John Pope beeing p'sented, for taking too much wages, to bee considered of.

Johnson chosen Leivtenant. Edward Johnson beeing chosen Leivt of Woborne is allowed of.

Merryfeild respited. Beamis fined. Henry Merryfeild beeing p'sented for lewd speeches, is respited. John Beamis for freeing his

* See Winthrop II. 149, 150. See also Mass. Hist. Socy. Coll. 5th Ser., Vol. 1, p. 492.

Mr. Broughton
dismissed.
Barnard fined.

servant against Order, was fined ten shillings. Mr. Broughton is dismissed, hee beeing not respondent for it. John Barnard for his daingerous well, is fined 10^s. and enjoyned to make it safe with [in] 28. dayes, vpon paine of 40^s.

Adams Braintree
Constab.

Henry Adams beeing chosen Constable of Braintree, tooke his Oath.

Golthrop whipt, or
fined.

Ralph Golthrop for beeing againe distemped with drinke, was censured to bee whipped, which if hee bring sureties for his good behavio^r and pay twenty shillings, hee is discharged.

Camp[s]n costs
graunted.

Clement Campion is graunted three pounds 6. shillings, & 8. pence against John Rogers, for attaching him, & not prosecuting.

Killmaster fined.
Betts discharged.

John Killmaster for beeing twice distempered with drinke was fined twenty shillings. John Betts appearing, for want of prooffe was discharged. Thomas Weatherly for swearing, & quarrelling was fined twenty shillings, and to pay the wittnesses five shillings.

Hudson Ordinary
Keep.

William Hudson Junio^r is allowed to keepe an house of enterteinment.

Mr. Stileman
discharged.

Mr. Stileman appearing about the way, for want of wittnesses, was discharged.

fryar. Nelme.
Waine. forfeit.

Leonard fryar, Jasp Nelme, & David Wayne forfeited forty shillings a peece for not appearing.

Wright bound.

George Wright for his attempt to vncleane with a married woman, is bound to his good behavio^r in forty pound, & to appeare at y^e Quarter Co^rt the first Moneth, and to pay the wittnesses.

Knop ordinary keep.

William Knops wife is allowed to keepe an house of enterteinment.

Osborne costs
graunted.

Richard Osborne was graunted six shillings, 8. pence, against Thomas Turner for warning him to appeare, & not prosecuting.

Capt. Wm dis-
charged from
Capteine Chadwicke.

Capteine Aaron Williams is discharged from Capteine John Chadwicke, in regard hee swore hee would kill him, as was testified.

Attachm^{ts} graunted.

Attachments were graunted against such as beeing warned did not appeare, as, Carew Latham, Richard Quick, Samuel ffinch his wife &c.

Mr. Dunsters Petition granted.

Mr. Dunsters Petition is graunted him, & any two of the ffefees to have power to dispose of thinges, and to receive, & pay the debts.

At a Co't at Boston the 25th. of the 11th. Moth. 1643.

p'sent.

The Governo^r. Mr. Dudley. Mr. Hibbens. Mr. flint. Increase Nowell.

Boston Const. fined.
Grubs fine discharged.
Moulton bound.

The Constable of Boston is fined ten shillings for not returning his warrant. Thomas Grub not appearing upon the Jury is fined 5^s. this is discharged. Thomas Moulton for his light carriage, is

bound in ten pound to bee of good carriage, and to appeare at the next Co't.

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Barnard stealing.

Bridget Barnard for stealing from Mr. Stodder yards of ribben 3^s. 24. douzen of buttons, 4^s. from

William Knop senior $\frac{1}{2}$ yard of bayes 1^s. 6^d. from Goodw. Button a peece of callico, 8^d. & from John Trotman 2. paire of shoes 6^s.

flint fornication fined.

William flint beeing a married man haveing gotten a slutt with child is fined 20^{lb}. whereof 10^{lb}. is left to the Toune of Salem to bring vp the child

with, and the other ten pound to the Publique, and to lye in Prison till hee pay it, or give security.

Co^rs Charges.

Mr. Treasuro^r was desired to cast vp Goodm. Turners bill, & if it be found right 53^{lb}. 15^s. 6^d. to allow it.

Weanes, Nelmes fine in part remitted.

David Weane is remitted 20^s. of the 40^s. forfeited for non appearance, to pay the other 20^s which George Burden vndertook to pay, within a Month. Jasp

Nelme is remitted 20^s. of his forty shillings forfeited, to pay the other twenty shillings.

Chadborne. Shaw.

William Chadborne appearing to answer John Shaw is discharged for the p'sent.

Watertowne Lands. transcript respited.

The transcript of Watertowne Lands is respited till the Quarter Co't in the 4th. Moth. next.

Bentley stealing. Restitution.

Mary Bentley for stealing [for stealing] M^r Waltons jewell of 11^s. price, hee haveing the jewell againe and 9^s. 6^d. of hir wages shee is to pay 18^s. more.

Parker. Kendal. John Parker appearing vpon summons from John Kendall, & Kendall not prosecuting, John Parker is graunted six shillings, eight pence against Kendall.

Mason. Munnings, sealers. Bayly to Hill. The 2^d. of y^e 12th. Moth. Hugh Mason, and George Munnings, beeing p^rsented for sealers, & searchers of leather. Richard Bayly put himselfe for 4. yeares to Abraham Hill, from the 13. of y^e 11. Moth. past.

At a Quarter Co^rt. at Boston the 5th. of y^e 1st. Moth ~~1811~~.

p^rsent.

The Governo^r. The Deputie Gov^r. M^r. Dudley. M^r. Bellingham. M^r. Winthrop jun^r. M^r. Bradstreet. M^r. Hibbens. M^r. Flint. M^r. Symonds. Increase Nowell.

Frost distempered fined. George Frost beeing distempered with wine was fined ten shillings.

Hart distempered fine. John Hart beeing distempered with wine was fined twenty shillings.

Cooper Gillam { **fined.** Thomas Cooper beeing absent from the Grand Jury, when it was called, is fined six shillings, eight pence. Benjamin Gillam beeing absent from the Jury of Tryalls is fined five shillings.

Halsteeds Inventory. his eldest son Administrator. The Inventory of Nathaniel Halsteed amounting to 213^{lb}. 13^s. 2^d. was p^rsented, & it was ordered the eldest son should have 106^{lb} 10^s & the other 2. children, 106^{lb} 10^s, & the eldest son William is graunted to bee administrato^r.

Fryars forfeiture remitted for distemp fined. Leonard Fryar his forfeiture is remitted, & hee is fined 15^s. for distemper in drinke, & disorder.

Latham. Johnson. Bauldwin. fined. Carew Latham is fined 10^s. for his disorder, & dismissed. Edward Johnson jun^r for imoderate drinking was fined 5^s., & dismissed. John Bauldwin for excessive drinking, was fined 5^s., & dismissed.

Anne Clarke divorced. Anne Clarke beeing deserted by Denis Clarke hir husband, & hee refusing to accompany with hir, she is graunted to bee divorced; his refusall was vnder his hand, & seale, which hee gave before M^r. John Winthrop jun^r M^r. Emanuel Downing, M^r. Nehemiah Boⁿe, & Richard Babington, alsoe hee confesseth hee liveth in adultry with one, by whom hee hath had 2. & refuseth hir which hee had 2 children by.

- George Wright appearing & testimony of his good carriage hee was discharged.
- John Milam appearing, & declaring hee had the cloth of M^r Stoughton for 9^s. hee was discharged.
- M^r. Dutchfeild fined. M^r. Thomas Dutchfeild for distemper in drinke is fined 10^s. & admonished, & dismissed.
- Roger Amedowne was enjoyned to pay 2^s. 6^d. fees. admonished, & discharged. John Harris to pay two^s. 6^d. fees, was admonished, & discharged.
- James Brittain being found guilty of adultery with Mary Latham, he was condemned to death. Mary Latham being found guilty of adultery with James Brittain, she was condemned to death.*
- Rebecka the wife of John Taylo^r.
- Stephen Betson for his sinfull attempt hee was bound to his good behavio^r, & enjoyned to appear y^e next Co^rt.
- Nathaniel Smith for his theft was ordered to pay. Capt. Sedgwicke 49^s. & fined 20^s. for his intemperate drinking.
- Vpon releasment of John Stow, Concord men are graunted Power to seize the 222. acres of Land, & hay, & debts due by any rent of the said Land.
- Thomas Moulton appearing was discharged.
- It was Ordered that John Richardson should be sequestred from Elizabeth ffryar, to whom he was married, y^e 12th. of the 8th. Moth., & neither to meddle with hir Person, nor estate, till thinges bee cleared by advice from England, & Christop. Lawson is to keepe 5^s. p weeke out of his yearnings, when his debts are paid.
- ffrancis Smith is graunted his bill of 2^{lb}. 3^s. 11^d. for ferridge, & horse pasture, of Magistrates, & Deputies horses from the 25th. of y^e 2^d. Moth. 1642, to the 5th. of the 1st. Moth. 1643.
- James, & John Merricke for drinking intemperately, and suffering others to drinke at their house, & selling wine, are fined 10^s. apeece, & to pay 2^s. 6^d. apeece, fees. Thomas Orton for intemperate drinking is fined 5^s. & 2^s. 6^d. fees. Thomas Sheepe for intemperate drinking is fined 5^s. & 2^s. 6^d. fees.

* See Winthrop II. 157.

**Hawer. Dorchester
Constable.** The 23. of the 3^d. Moth. Barnabas Hawer tooke the oath for Constable for Dorchester for the yeare ensuing.

**Richards. Read
Waymouth Cs.** The 30th. day. Thomas Richards, & William Read beeing chosen Constables of the Towne of Waymouth did take their oathes.

**Johnson. Parks.
Comittee
Mr. Cookes estate.** John Johnson, & William Parks are appointed a Committee to examine, by the former Commissiono^r or otherwise, to find out, gather vp, & receive into their custody, which hereby they are Authorized to doe, & to certify how they find thinges about M^r. Samuel Cooke his estate.

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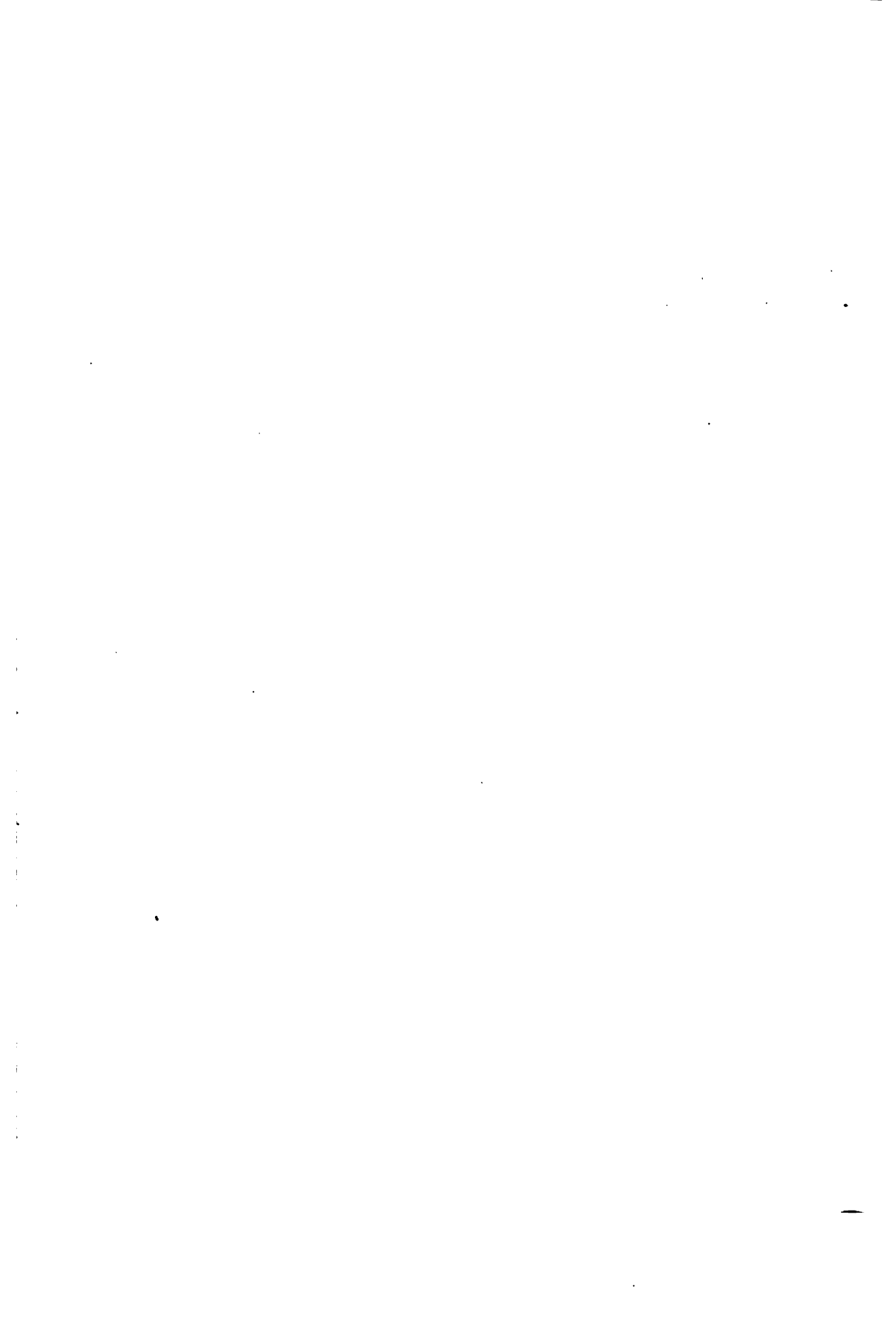
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